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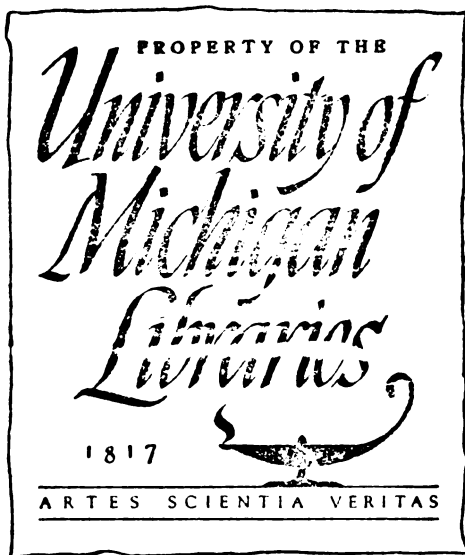
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Wellington, Arthur Wellesley, 1st duke of, 1769-1

THE

S P E E C H E S

OF

THE DUKE OF WELLINGTON

IN PARLIAMENT.

COLLECTED AND ARRANGED

By THE LATE COLONEL GURWOOD, C.B., K.C.T.S.



IN TWO VOLUMES.—VOL. I.

LONDON:

JOHN MURRAY, ALBEMARLE STREET.

1854.



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## NOTICE.

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FIELD-MARSHAL THE DUKE OF WELLINGTON has permitted Colonel Gurwood to collect and publish his Speeches in Parliament. In presenting them to the public, Colonel Gurwood has selected a form corresponding with that of the first edition of the Dispatches, and has given such part of each debate as may be necessary to the elucidation of the speech made on the occasion by the Duke of Wellington.

*June, 1845.*

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\* \* \* The work having been left incomplete by Colonel Gurwood, it was intrusted to Mr. Hazlitt, who has most ably finished it and seen it through the press.

*December, 1853.*





TO  
HENRY, LORD BROUGHAM,  
WHO, WHEN A MEMBER OF THE HOUSE OF COMMONS,  
EARLY RECOGNISED  
IN THE POLITICAL OPPONENT  
THAT MANLY ELOQUENCE  
WHICH, AS A MEMBER OF THE PEERAGE,  
HE HAD TO THE LAST ADMIRER IN THE PERSONAL FRIEND,  
THE PARLIAMENTARY SPEECHES  
OF  
THE DUKE OF WELLINGTON  
ARE  
INSCRIBED.





## INTRODUCTION.

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THE announcement of the Duke of Wellington's Speeches elicited from a friend of the Duke an expression of his opinion of the high value of the work, which the publisher has great gratification in prefixing to these volumes. He is not at liberty to add the name of the writer, but were it given it would at once be recognised as that of one in the highest degree qualified, from knowledge and from practical experience, to form a judgment upon the subject.

‘I am very glad the Duke's Speeches are to be published, as far, I suppose, as there are the means of giving them from the Parliamentary Debates. It is in every view important that they should thus be presented together, and made accessible to the bulk of readers; not only on account of the striking and sound reflections with which they abound, upon almost every political question, the fruit of his unrivalled sagacity and his habitual freedom from all bias, party or personal, but also because of their intrinsic merit as speeches—merit of a very high order, independent of the interest which every one must feel in studying the discussion of matters connected with the most remarkable events of our times, by the person who bore the most prominent part in them. But as speeches merely, their interest is great, and no one can be

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said to have a complete idea of that great man's genius who only reads his dispatches (marvellous as these are, and all the more so, because those of the young soldier in India are entirely similar to those of the veteran in the Peninsula), without also contemplating him as a speaker—a speaker for business, not show—a debater. In this capacity he stands very high indeed. We cannot deny that Julius Cæsar was, in the common acceptation of the term, a greater orator—he of whom it was said, that, had he devoted himself to the Forum, as he intended probably at one time (for he studied under a professional rhetorician at Rhodes), “no one else could have been named with Cicero.” But he was in all likelihood not equal as a debater; and there seems reason to think that Cæsar's eloquence was in a great degree artificial and rhetorical, notwithstanding the force ascribed to it.\* One observation made upon it by Quintilian (imitating, by the way, if not parodying, a passage of Livy) seems equally applicable, in part at least, to the Duke, that he made speeches with the same genius with which he made war—the same vigour and the same acumen. We might not add the same vehemence; but, on the other hand, the Roman orator, we may safely affirm, argued less closely, expounded more diffusely, and had not always before his

\* ‘It is hardly necessary to remark that we have no remains of his speeches; for the notes he gives of his addresses (*conciones*) to the soldiers, in his Commentaries, only are the heads, and were written long after; the speech in Sallust, like that of Cato, is plainly the historian's own composition. Sallust's diligence in collecting information upon that famous debate must have been confined to the topics merely, though Cicero had laid the foundation of reporting, and even of short-hand reporting, on that occasion. But even as to the topics, the Fourth Catilinarian shows how unfaithful his account of the debate is. Indeed, nothing can be more unfair than his whole treatment of Cicero. Of Cæsar's letters two or three remain, and they are truly admirable.

eyes in speaking that elementary proposition, which the Duke never for an instant lost sight of, whether in speech or in action—that the shortest line between two points is a straight line.

‘It would be difficult to find any one in any assembly who more clearly and concisely brought before his audience the whole of his subject, the whole which it was important to unfold,—who left so distinct an impression of the opinions he meant to declare, or gave more cogent reasons in support of them—reasons, if not sufficient to convince others, yet quite sufficient, not only to show the grounds of his own conviction, but that he logically deduced it from his premises. Accordingly he was, of all the debaters in our day, with perhaps the exception of Lord Plunkett, the most difficult to grapple with, the hardest to answer. Nor did it seem to make any difference that the subject happened to be one he was little conversant with in detail. His speeches on commercial and financial questions were really as admirable as on subjects of foreign and military policy. Nay, I shall not easily forget the remark of one of the very greatest orators of our times (Lord Ellenborough) when we left the House of Lords together, in equal admiration of the Duke’s extraordinary speech upon Subscription, or some such subject connected with the Universities, and with which he could be supposed little familiar: “Did you observe that the whole hour he spoke, not one topic but the best chosen, nor one word for which another equally fitting could have been substituted?” It is to be observed that he greatly improved as a speaker after he became Prime Minister in 1828. The perfect modesty of his nature, with his unfailing good sense (if indeed the two things can be sepa-



Tralee, in the county of Kerry, on the 20th June, 1807 ; on the 14th July Sir A. Wellesley made his election for the borough of Newport.

The Right Hon. Lieut.-General Sir A. Wellesley resigned the office of Secretary for Ireland, and his seat in the House of Commons, on the 4th April, 1809, previous to his departure, to command, for the second time, His Majesty's forces in Portugal. In the course of the five following years, during which he served in the Peninsula and the South of France, he was raised to the Peerage, and was promoted to the highest military and civil rank to be attained by a soldier or a subject.

Field-Marshal the Duke of Wellington, K.G., returned to England, and, on the 24th June, 1814, his Grace took his seat in the House of Peers, by the titles of Baron, Viscount, Earl, Marquis, and Duke.

The Duke of Wellington died on the 14th of September, 1852.

PRÉCIS OF THE SERVICES IN PARLIAMENT OF  
THE DUKE OF WELLINGTON.

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THE Honorable Arthur Wellesley was elected to serve, as Member for the borough of Trim, in the county of Meath, in the second session of the fifth Parliament of Ireland, assembled on the 20th January, 1791 ; and he continued to represent that borough until the Parliament was dissolved on the 5th June, 1795.

Lieut.-Colonel the Hon. A. Wellesley was employed on active military service in Holland, in 1794, and afterwards in India. He returned to England in September, 1805.

Major-General the Hon. Sir A. Wellesley, K.B., was elected to serve in the Imperial Parliament for the town and port of Rye, on the 12th April, 1806. The Parliament was dissolved on the 19th October, 1806 ; and he was again returned to serve for the borough of Mitchell or Midshall, on the 20th January, 1807. On the change of Ministry on the 9th of March following, Major-General the Hon. Sir A. Wellesley was appointed Secretary for Ireland, and a Privy Counsellor, and he consequently vacated his seat on the 8th April, but was re-elected for the same borough on the 25th April. The Parliament was again dissolved, when he was elected for the borough of Newport, in the Isle of Wight, and for the borough of

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SPEECHES  
OF THE  
DUKE OF WELLINGTON  
IN PARLIAMENT.

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HOUSE OF COMMONS, IRELAND.

[FOURTH SESSION OF THE FIFTH PARLIAMENT OF THE KINGDOM OF IRELAND.]

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*January 10, 1792.*

THE ADDRESS.

*The Hon. ARTHUR WELLESLEY* seconded the Address on the Speech from the Lord Lieutenant, on opening the Session :

SIR, At a time when opinions are spreading throughout Europe inimical to kingly government, it behoves us in a particular manner to lay before our gracious Sovereign our professions of determination to support and maintain the Constitution. Under the present reign this country has risen to a state of unexampled prosperity. The augmentation of the forces, as mentioned in the Speech, has, from the circumstances of the times, become necessary, particularly when we have lately witnessed the conduct of the French towards their King, their invasion of the territories of Sovereign Princes, and their irruption into the Austrian Netherlands. Their conduct must excite the indignation of every man in this House. I applaud the conduct of the Administration of this country for issuing the Proclamation of the 8th of November last, and I condemn the attempt of a set of men styling themselves *National Guards*, and appearing in military array ; a set of men unknown in the country, excepting by their attempts to overturn the Government. The conduct of the Administration on this occasion entitles them to the confidence of the people. In regard to what has been recommended in the Speech from the Throne

respecting our Catholic fellow subjects, I cannot repress the expression of approbation on that head. I have no doubt of the loyalty of the Catholics of this country, and I trust that when the question shall be brought forward we shall lay aside animosities, and act with moderation and dignity, and not with the fury and violence of partisans.

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*January 28, 1793.*

### PRIVILEGES OF PARLIAMENT.

Mr. McDonnell, printer and proprietor of the *Hibernian Journal*, against whom a charge had been brought by the Attorney-General, for publishing in his paper a libel on the privileges of the House, attending at the Bar,

*The Hon. A. WELLESLEY* spoke in these terms :

Sir, When the Aggregate Body assembled by the Sheriff are brought forward to be heard and to insult Parliament, it behoves every gentleman who has a sentiment of honor, or a sentiment of regard for the Constitution of this country, to stand forward and maintain our privileges. Sir, it does not appear to me that those resolutions of the Aggregate Body, whilst they profess allegiance and attachment to His Majesty and the Constitution, and pledge the resolvers to maintain all his rights, are therefore to be excused, if, at the same time, they abuse and vilify the members of this House. I confess, Sir, it appears to me an odd way of testifying allegiance and gratitude to the King to abuse and disgrace his faithful Commons, and direct that no supplies should be given to the Crown until their demands should be granted. Whatever may be the state of the representation, whether good or bad, I shall not enter into it at present, but I will, without hesitation, maintain that to say that this House is not free is a gross libel. I know that this assertion has been frequently made by gentlemen on the other side of the House, yet, as they have never attempted to substantiate this charge, I consider it as a charge merely, and to be used only whenever gentlemen are deficient in argument. But a member of this House may in his place venture to suggest many things that would be highly indecent for the Aggregate Body to publish, and indeed this attack from that body is most ungrateful. Look, Sir, at the conduct of the House which they attack. Have we left undone anything in our power



to advance their prosperity? Are we not at this moment engaged to inquire into the state of the representation? And is this exactly the time they should have taken to insult us with a most gross and scandalous libel? I am far from entertaining any desire of punishing the printer with severity; but if, under the present circumstances of Ireland, if, with the example of a wretched people on the Continent before our eyes, if, with the prospect of a foreign war, and internal disturbance actually existing, a sheriff, whose bounden duty it is to preserve peace and good order, shall presume to beard the Parliament, on whose spirit and firmness, chiefly, the nation must rely for security, well may an innocent printer think himself justified in publishing a scandalous libel signed and avowed by that sheriff: and it is the sheriff that I would punish. I know, Sir, that we might direct the Attorney-General to prosecute this man in a court of law, but I will not trust to that method. I will not trust the man, who could act as the sheriff has done, with the power of impanelling a jury for his own trial, and therefore I wish to see the House vindicate its privileges.

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*February 25, 1793.*

### ROMAN CATHOLICS.

In Committee on the Roman Catholic Bill,

Mr. G. KNOX having moved,

‘That the Committee be empowered to receive a clause to admit Roman Catholics to sit and vote in the House of Commons,’

*The Hon. A. WELLESLEY* spoke in these terms:

Sir, I have no objection to giving the Roman Catholics the benefits of the constitution, and in my opinion the Bill confers them in an ample degree; but the motion of the Honorable gentleman seems calculated to promote disunion. With the Bill, as it stands, the Protestants are satisfied, and the Roman Catholics contented; why then agitate a question which may disturb both? A gentleman has said that admitting the 40 shilling freeholders of the Roman Catholic persuasion to vote at elections would annihilate the Protestant Establishment in Ireland, and he has founded his assertion on the supposition that the Roman Catholics will, in voting, be directed by their priests. But have not Roman Catholics, like Protestants, various interests and various passions by

which they are swayed? the influence of their landlords, their good and bad opinion of the candidates, their own interests, and a thousand other motives? It appears to me that they will not vote in a body, as has been supposed, if the Bill should be passed in its present form; but if the motion of the Honorable gentleman shall be adopted, then indeed they would undoubtedly unite in support of Roman Catholic candidates.

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*January 24, 1794.*

**PUBLIC RETURNS.**

Mr. VANDEKLEUR having moved in Committee of Supply,  
 'That the proper officer do lay before the House a Return of men raised in Ireland for the land service since the 1st January, 1793,'

*The Hon. A. WELLESLEY said:*

Sir, I believe it will not be possible to comply with this motion, if the House should adopt it, as there are many men raised in Ireland, no return of whom is made to any office in Ireland: for instance, all the English regiments recruited in Ireland, of which no return is ever made to the Adjutant-General's office.

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*March 13, 1795.*

**NATIONAL DEFENCES.**

Sir LAWRENCE PARSONS having moved,  
 'That John Earl of Westmoreland, by authorising such a number of the regular troops to be sent out of this country as left the remainder considerably less than the number appointed by law for the defence thereof, has been guilty of a violation of the compact entered into with the Crown, and of dispensing with the law of the land,'

*The Hon. A. WELLESLEY opposed the resolution in these terms:*

Sir, It has been fairly and clearly proved that, between men on the establishment and the new levies, the compact has been complied with. What did the Act require? Twelve thousand men for the national defence. Were they or were they not in the country? It was admitted that the public service had required troops to be sent abroad, and an addition was therefore made to the establishment by Parliament. Were the new levies just recruited to be sent abroad to meet an enemy, or the disciplined

soldiers? The question answers itself, and justifies sending the old regiments out of the kingdom, and retaining the new corps; and therefore I cannot think that Lord Westmoreland has broken the compact, or the law. There were necessary for the defence of the country 12,000 men; and there were, besides these regular troops, 16,000 militia in the country, who ought to be taken into consideration when the national defence is spoken of. An Honorable Baronet (Sir L. Parsons) has called the new levies 'ragamuffins.' I congratulate the Hon. Baronet on his military sagacity, for who would send 'ragamuffins' upon foreign service? but I assure the Hon. Baronet that, however he may treat the new levies with contempt, they were not objects of contempt to the enemies of their country.



# THE IMPERIAL PARLIAMENT.

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## HOUSE OF COMMONS.

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[FOURTH SESSION OF THE SECOND PARLIAMENT OF THE UNITED KINGDOM OF  
GREAT BRITAIN AND IRELAND.]

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*April 22, 1806.*

### MR. PAULL'S CHARGES AGAINST THE MARQUIS WELLESLEY.

MR. PAULL having, in his place, charged Richard Colley, Marquis Wellesley, late Governor-General of Bengal, with sundry high crimes and misdemeanors, and presented to the House an Article of Charge of high crimes and misdemeanors against the said Marquis Wellesley to the effect,

‘ That in all the recited proceedings and deeds the said Marquis Wellesley had been utterly unmindful of the solemn engagements entered into, had set at nought the authority and the orders of his employers the East India Company, had daringly contemned the Parliament, the King, and the Laws, and has therein been guilty of high offences, crimes, and misdemeanors,’

**SIR A. WELLESLEY** spoke in these terms :

Though I do not rise, Sir, to object to the motion before the House, I cannot abstain from saying a few words as to the manner in which the noble Marquis who is the object of this Charge has been frequently held up to the country as a public delinquent. The House will doubtless recollect how often that noble Marquis has been thanked by this House itself, and by the Honorable Court of Directors, for those very measures, many of which are now brought forward as matters of serious charge against him. It is a subject of surprise as well as of grief to his friends and near relations to hear his name mentioned night after night in this House as if he were a criminal ; and yet upon the present occasion, when the Charge has been formally brought, there is not an argument in the Honorable gentleman's speech, nor has he produced any evidence in support of it. Now, Sir, the services upon which I was

myself employed in India enable me to speak to some of the facts connected with this Charge. I have had considerable experience and personal knowledge of his Lordship's system of government, and I can take upon myself to state positively that there is not the slightest foundation for the present Charge. Some of the facts have been greatly misrepresented: some are utterly without foundation. The Honorable Director (Mr. R. Thornton) said that he had in his pocket a paper which, if produced, would prove most of them. Sir, if that be so, why does he not move for its production? If he really have any such paper in his pocket, let him produce it, and I am ready to meet it. Then the Honorable Director tells us, that the letter which was moved for last night contains the proofs of many of his allegations. But that assertion I must take leave to dispute. That letter contains no such proofs. It may contain references to statements relating to allegations comprised in the Charge; but such references will not amount to any proofs. I confess, Sir, that I can easily conceive the delicacy of the position into which the House has been brought in this matter, by reason of the course that the Honorable gentleman has thought proper to adopt. I can well conceive that it may be a question with the House, whether, in justice, it can receive a Charge of this kind unaccompanied by any evidence to support it. On the other hand, I feel, also, that it is due to justice that some inquiry should be instituted into the matter. I do not wish, assuredly, to press the House to any precipitate judgment; but I do hope that they will consider the feelings of my noble relative under this state of things, and come to such a decision on the question before them as shall lead to the speedy and full discussion of the whole subject.

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*April 28, 1806.*

On the adjourned debate,

Mr. PAULL having submitted the grounds upon which he contended that the Charge he had brought forward ought to be printed, entered into a detailed statement of transactions connected with the Marquis Wellesley's government of India, and moved the printing of such Charge,

*SIR A. WELLESLEY* said:

Sir, It has been sufficiently shewn, I apprehend, that the practice of Parliament, in such cases as that now before us, has

tion, I shall have the honor to show that Lord Wellesley neither invaded any right, nor violated any treaty, in his administration of these affairs.

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*June 3, 1806.*

Earl TEMPLE moved,

‘That the Article of Charge of high crimes and misdemeanors committed by Marquis Wellesley in his transactions with respect to the Nabob Vizier of Oude, which was delivered in at the Table and read upon the 28th day of May last, be taken into consideration upon to-morrow fortnight (the 18th June, 1806).’ Gentlemen who had looked into these Charges must perceive that they directly imputed to Lord Wellesley, not only every species of public delinquency, but the gravest Charges of private depravity. Another individual, an Honourable member of that House, Mr. Henry Wellesley, was also involved in those Charges, and in justice to him, likewise, the earliest possible investigation ought to take place.

Lord A. HAMILTON had not understood Mr. Paull to have imputed the various offences, so clearly borne out by documents, of cruelty, oppression, and plunder, to the private character, but only to the public administration, of the Marquis Wellesley. Neither had the Charge of murder been put in the way his Lordship apprehended.

**SIR A. WELLESLEY** said:

I rise, Sir, to express my surprise at the declaration which has been made by the noble Lord (A. Hamilton), namely, ‘that he thinks the Charges that have been brought forward against the noble Marquis, my relative, are borne out by the documents already laid upon the Table;’ and the more especially, Sir, as the Honourable gentleman by whom they have been so brought forward had himself declared, only the moment before, that he could not sustain them without several other documents, which he had moved for, but which have not yet been presented; and also, without the examination of several witnesses at the Bar. It is very extraordinary, therefore, that the noble Lord should pronounce so decidedly upon the truth of Charges (which, however, remain to be proved), that his Honourable friend, who brought them forward, declared himself not able to sustain without much more evidence. With respect to the Charge of murder, however, it is one of too foul and atrocious a nature to be suffered to go forth unexplained, or remain as a stain upon the character of my noble relative, without placing the circumstances, upon which it has been founded, in a proper point of view. There were certain officers, called zemindars and , resident in that part of the Nabob’s territory which was taken over to the Company in 1801, and rendered liable to pay certain

tributes, in the way of land-tax upon that territory, annually, to the Company. The first year's tribute they did pay, I believe, regularly; and the Regulations of the Company, which are the laws of the country, were promulgated and established in that territory; but, upon the second payment being required, instead of complying with the law, they combined to resist it. They assembled together their armed forces, under the chief command of an officer named Amas Ali Khan; they retired to their forts; they set the laws at defiance; they refused to pay any tribute; and it was found necessary by the Governor General, in support of the laws, to reduce those men by force. So formidable were they, that it required the whole of the Bengal army, with the Commander in Chief at their head, to effect this service. They were attacked in their forts, and, in the course of their obstinate resistance, some persons fell; some blood was spilt; and this is what the Honorable gentleman imputes to the noble Marquis as a murder. It was an act of public power, done in support of the laws of the country, like what would have been done against any class of British subjects in similar resistance to the laws passed by Parliament. The House will now judge how far it is just to describe such a measure by the epithet of 'murder.'

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*July 10, 1806.*

#### INDIAN FINANCE.

On the motion of Lord MORPETH, it was

'Ordered, That the several accounts and papers which have been presented to the House in this Session of Parliament, relating to the revenues of the East India Company, be referred to the consideration of a Committee of the whole House.'

The House having resolved itself into Committee, and

Lord MORPETH having submitted, in great detail, a statement of the financial affairs of the East India Company,

*SIR A. WELLESLEY* spoke in the following terms:

Before I proceed, Sir, to consider the financial state of India, which is, more properly, the subject for discussion this night, I shall take leave to advert to the political subjects which have been referred to by other gentlemen in the course of this debate. The Honorable gentleman who has just sat down (Mr. Francis) asked, what right has Scindiah to the fortress of Gwalior and the

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The House having resolved itself into Committee, and

Lord MORPETH having submitted, in great detail, a statement of the financial affairs of the East India Company,

*SIR A. WELLESLEY* spoke in the following terms:

Before I proceed, Sir, to consider the financial state of India, which is, more properly, the subject for discussion this night, I shall take leave to advert to the political subjects which have been referred to by other gentlemen in the course of this debate. The Honorable gentleman who has just sat down (Mr. Francis) asked, what right has Scindiah to the fortress of Gwalior and t

territory of Gohud, which have been ceded to him by the late treaty concluded by Sir G. Barlow? The Honorable gentleman must recollect that, subsequently to the treaty of peace concluded by Mr. Hastings with Madajee Scindiah (the predecessor of Dowlut Rao Scindiah), that chieftain attacked the Rajah of Gohud, and deprived him of all his territories. The family of Scindiah remained in possession of those territories and of the fortress of Gwalior, from that time, until the war which commenced in 1803, when the fort of Gwalior was taken, and the country of Gohud fell into the possession of one of the detachments under the orders of the Commander in Chief, Lord Lake. Under the 9th article of the treaty of peace which I was the instrument of concluding with Dowlut Rao Scindiah, at the end of the year 1803, the territory of Gohud and the fortress of Gwalior were to remain in the possession, and at the disposal, of the British Government. This will be obvious to any man who reads that article, or the conferences in the negotiations of the treaty, which are published; and indeed the operation of the 9th article upon this territory was acknowledged by Scindiah's ministers. The Governor-General, Lord Wellesley, however, having adverted to the situation in which Scindiah was placed, by the treaty of peace, in relation to other Powers in India, and particularly in relation to his rival, Holkar, had deemed it proper to take into consideration the expediency of restoring to Scindiah the territory of Gohud and the Fort of Gwalior. I was of opinion that Gohud and Gwalior ought to be restored to that Chief; and I believe that the instructions to the Resident with Scindiah on this subject have been laid before this House. The reason for which the cession was not made until the conclusion of the late treaty by Sir G. Barlow, is to be found in the state of Scindiah's councils from the middle of the year 1804 until a late period of 1805. The cession was a matter of favor to Scindiah on the part of the British Government, and was to be so considered. The Committee will observe, that it is, accordingly, so considered by Sir G. Barlow. But, in point of fact, Scindiah's councils were so badly composed, and their conduct was so suspicious, from the period before mentioned, that no concession could be made to Scindiah without incurring the risk of having it attributed to motives which never ought to influence the conduct of the British Government in India. For this reason the cession was not made by Lord Wellesley. The

Honorable gentleman seems to think the fortress of Gwalior important as a defence of the Company's territories in that quarter. The fortress of Gwalior would defend and cover nothing excepting itself; the Company's territories are not to be defended by fortresses, but by armies in the field. Fortresses are useful as points of support and as magazines to these armies, and, in this point of view, Gwalior would be useful if the object of the Company was, or was likely to be, the invasion of Scindiah's territories in Malwa. But it is of no use with a view to the defence of the Company's territories, unless garrisoned by a large body of troops, which body of troops would be more profitably employed in the field.

The Committee will please to observe, that, upon the whole, I consider Sir G. Barlow's treaty with Scindiah to have been consistent with the spirit of that which I was the instrument of concluding at the end of the year 1803; and that the late Governor-General, Lord Wellesley, intended to have carried into execution that part of the stipulations which related to Gwalior and Gohud. It will be remembered that, on a former night, I explained to the House that I did not consider that treaty a treaty of peace, because, in point of fact, we had never been at war with Scindiah since 1802. It is, in short, a treaty to explain and amend some articles of the former treaty of peace; and I conceive that every one of its articles deserves approbation.

With respect, Sir, to the treaty with Holkar, I do not conceive that there can be any objection to that. The Honorable gentleman (Mr. Francis) has asked whether Sir G. Barlow was not obliged to conclude it by the financial distresses of the Government? Approving, generally, as I do, of that treaty, and not knowing what were the instructions from home under which Sir G. Barlow acted, I cannot conceive it necessary that we should look for the cause of his having concluded that treaty to any necessity, arising from the condition of the Government's finances at the time, in India. The Honorable gentleman knows well, that, when war has been carried on there for three years together, it is not very easy to obtain money on loan; and I certainly do not mean to extenuate the financial difficulties and distresses which did exist in the year 1805, as they have been represented by the noble Lord, and appear in the papers on the Table. But, Sir, in possession of such a revenue as is enjoyed by the



British Government in India at the present moment, and in command of such large resources, I do not conceive that any temporary embarrassments, or difficulties of a pecuniary nature (and I allow that embarrassments and difficulties certainly existed), could have been experienced to such a degree as to have induced Sir G. Barlow to conclude a treaty of which he himself did not approve, and of which he should not have thought that his superiors in England would approve.

Sir, I have already said that I am not disposed to dispute the financial statements which have been made to us by the noble Lord, and are exhibited in the papers upon the Table. But it must be recollected that those statements have reference to a condition of most extensive warfare which was carried on in all parts of India at one and the same time, and for which the preparations and exertions made were on a scale superior to any that were ever put forward by us upon any former occasion. There was not an officer in command of any detachment, who, if he could prove to the satisfaction of the Indian Government, that any addition to the means already in his power would increase his capacity of performing service, did not immediately receive orders to make the increase which he required; and, accordingly, it will be found that the service actually performed was always proportionate to the additional expense thus incurred. With this recollection in our minds it will not appear to the Committee, I apprehend, that a surplus charge amounting, upon an average, to about two millions sterling, is very large for such a period, and for such exertions.

The chief subjects which require explanation in the state of the finances of India are the deficiency of the revenues in comparison with the charges (including the interest of the debts), and the great magnitude of the debts. My wish, Sir, is now to show,

1st. The real situation in which the Finances of India will be in time of peace.

2ndly. The real state of the Indian Debt in April, 1805 (at the close of Lord Wellesley's Government), and in April, 1806; and

3rdly. To compare the Debt with the Assets, and to show in what manner it has been incurred.

It appears, by the account, No. 2, presented on the 3rd of June, 1806, *page* 94, that the revenues of India for the year 1805-6 were estimated at 14,279,533*l.*; the charges at 14,645,844*l.*; the interest of the debt at 1,823,040*l.*; the commercial charges, not

added to the invoices, at 199,806*l.*; the supplies to Prince of Wales's Island, Bencoolen, and St. Helena, 266,800*l.*; making a total of charges of 16,935,490*l.*, and leaving a deficiency, to be provided for by loan, of 2,655,957*l.*

It must be observed, however, of this estimate, 1st, That the revenues are not stated to be so high as they really are; and, 2ndly, That the charges are for a period of war, in which it must be acknowledged that they would be higher than in a period of peace. If this be the fact, it cannot be supposed to be a very unsatisfactory state of affairs, that the charges of a great Empire, such as the British Empire in India undoubtedly is, should exceed the revenues and resources by less than 2,700,000*l.* sterling in one year of a period of very extensive warfare. This will be observed more forcibly, if the financial state of Great Britain or any other country of Europe is adverted to. But the duration of the war ought not to be calculated upon. Intelligence of peace has already been received; and the finances of India must be viewed in reference to the state of affairs which must exist in consequence of the restoration of tranquillity. In endeavouring to form an opinion of the financial state of India at a period of peace, it is necessary to ascertain what will be the revenues in peace, and what the aggregate of charges.

Sir, in the year 1802-3 the Company were in possession of all the territories which they possess at present, except the territories acquired under treaties with the Guickwar, and by the treaties of Bassein, and of peace, concluded with the Marhattas in December, 1803. The produce of that year will form the fairest datum from which an estimate may be drawn of the probable future resources. An average of any number of years cannot be taken, because in 1801 the provinces in Oude were not in the Company's possession; because in 1803-4 there existed a drought in all parts of India, which affected particularly the produce and revenues of the ceded provinces in Oude, and in some degree those of the provinces, ceded by the Nizam, on the Toombuddra and the Kistna rivers, and those in the Carnatic; and because in 1804-5 the revenues of the ceded provinces in Oude must have been affected by the incursion of Holkar's armies. The amount of the revenues in 1802-3 will afford an estimate of what they will be in future, in time of peace; although there is reason to believe that they will considerably exceed that amount. The revenues in India for the

year 1802-3, as appears by the accounts before Parliament, were 13,464,537. To this sum, in forming an estimate of the future probable resources of the Government in India, must be added the new subsidies and the revenues of the British territories gained by the Company since the year 1802-3, of which I will read an estimate :

*Estimate of the late Acquisitions in India, from Conquest and Subsidy, taking the Revenues at the lowest possible scale.*

REVENUE.				
IN THE DOOAB.		Gross Revenue.	Net Revenue.	In Sonat Rupees.
Etawa . . . . .		13,91,818		
Furruckabad . . . . .		6,30,084		
Sehaurunpoor . . . . .		3,42,351		
Under Moradabad . . . . .		2,99,015		
Under the Resident at Delhi . . . . .		8,50,273		
		35,13,541		
Deduct Tasseeldary, and other allowances, pensions, mofussil charges, and balances irrecoverable, estimated altogether at 20 per cent. . . . .		7,02,708		
			28,10,833	
Begum Sumroo's Jaghire . . . . .			10,00,000	
WEST OF THE JUMNA.				
Agra, exclusive of the Pergunnahs, Dhoolpoor, &c., at first reserved to Scindiah, and now ceded to the Company . . . . .		10,64,255		
Districts settled by the Resident at Delhi . . . . .		4,25,594		
Syer of Delhi, &c. . . . .		1,83,689		
Districts unsettled, suppose . . . . .		4,25,000		
		20,98,538		
Deduct 20 per cent. as above . . . . .		4,19,707		
			16,78,831	
In Hindustan rupees of sorts . . . . .			54,89,664	52,70,076
CUTTACK . . . . .		13,51,405		
Deduct 20 per cent. as above . . . . .		2,70,281		
Arcot rupees . . . . .			10,81,124	10,37,879
BAROACH . . . . .		10,00,000		
Deduct 20 per cent. as above . . . . .		2,00,000		
Estimated equal to Sonat rupees . . . . .			8,00,000	8,00,000
Total of revenue of rupees of sorts . . . . .			73,70,788	
Ditto in Sonat rupees . . . . .				71,07,955
In Sicca rupees . . . . .				66,81,955
Or pounds sterling . . . . .				£835,184

## SUBSIDIES.

FROM THE GUICKWAR.		Gross Revenue.	Net Revenue.	In Sonat Rupees.
Free gift . . . . .			2,00,000	
Subsidy . . . . .			6,97,275	
Syer revenue in the Attavesy . . . . .	60,000			
„ „ in Guzerat . . . . .	66,000		1,26,009	
				<u>10,23,284</u>
FROM THE PESHWAH.				
Bundelcund gross revenue . . . . .	15,72,974			
Deduct 20 per cent. as above . . . . .	3,14,595			
Stipend to Shumsheer Behauder . . . . .	4,00,000	7,14,595		
In rupees of sorts . . . . .	58,8,379			
In Sonat rupees . . . . .			8,24,047	
Subsidy to the Attavesy . . . . .	6,50,000			
Ditto in Guzerat . . . . .	1,72,000			
Syer revenue in the Attavesy . . . . .	1,10,000			
Ditto Guzerat . . . . .	8,000			
In rupees supposed equal to Sonats . . . . .			9,40,000	17,64,047

## ADDITIONAL SUBSIDY.

From the Rajah of Travancore . . . . .	3,48,000
Total subsidies, Sonat rupees . . . . .	<u>31,35,331</u>
Or Sicca rupees . . . . .	<u>29,47,203</u>
Or pounds sterling . . . . .	£368,400
Add amounts of revenue, as in preceding estimate . . . . .	835,184
Total revenues, pounds sterling . . . . .	<u>£1,203,584</u>

## ABSTRACT.

## ACQUISITIONS.

	Sonat Rupees.	Sicca Rupees.	Pounds Sterling.	Total Pounds Sterling.
In revenue . . . . .	71,07,955	66,81,478	835,184	1,203,584
In subsidies . . . . .	31,35,322	29,47,293	368,400	

This will make (added to the Return for 1802-3) the future revenue of British India amount to 14,668,121*l*.

In the commencement of the year 1802-3 a revision was made of all the establishments under the Governments of India, with reference to a state of peace. It does not appear, however, that the establishments of European troops in particular were reduced to a lower scale than that on which they ought to be left at all times, and on which they exist at present. Neither does it appear

to be necessary to increase the number of European troops beyond the number which were in India in the year 1802-3, in consequence of the additional territory acquired since that year. The Native military establishments were fixed, in the year 1802-3, upon a scale calculated for the existence of peace in India; and the continuance of the war in Europe, under the circumstances in which the enemy stands in respect to his marine, does not appear to render necessary any addition to such establishments. The actual charges of the year 1802-3 were higher than the amount at which they were estimated and fixed, with a view to peace. In October, 1802, Holkar gained the victory at Poonah over the troops of the Peshwah and Scindiah; in consequence of which the Government of Fort St. George immediately thought it necessary to assemble the troops acting under that Presidency, which afterwards marched to Poonah early in 1803. The army at Bombay was likewise placed on the war establishment; part of it in the field; and both armies were considerably augmented. My noble friend (Lord Castlereagh) has calculated the extraordinary expenses, in the last 6 months of 1802-3, at 500,000*l.* above the charges of the peace establishment; and in forming an estimate of the future charges of India, in a period of peace, upon the actual charges of the year 1802-3, it is proper to strike off 500,000*l.* of that amount. With this sum subtracted from them, the actual charges of the year 1802-3, together with those rendered necessary on account of the treaties of peace and subsidy, and by the acquisitions gained since that period, may be deemed fair data on which an estimate may be formed of the probable future charges of British India in time of peace.

	£.
The actual civil charges in 1802-3 were . . . . .	4,599,372
The actual military charges were . . . . .	£6,360,614
From which subtract . . . . .	500,000
Remains . . . . .	5,860,614
Add supplies for Bencoolen, &c. . . . .	196,848
Making a total of charge in 1802-3 . . . . .	£10,656,834

To this must be added the additional civil charges to be incurred in consequence of the late acquisitions, of which I shall also read an estimate.

*Estimate of the Annual Increased Civil and Military Charges incurred in India since the year 1802-3.*

PENSIONS AND JAGHIRES.		Rupees of Sorts.	Sonat Rupees.
Scindiah and his family . . . . .		8,00,000	
Royal family at Delhi, including the expense of irregular corps . . . . .		17,00,000	
Begum Sumroo . . . . .		10,00,000	
Total in Rupees of sorts . . . . .		35,00,000	or 32,64,000
CIVIL ESTABLISHMENTS.			
Salary and establishments of seven judges and magistrates		3,92,000	
Ditto of six collectors . . . . .		2,23,300	
Residency at Delhi . . . . .		1,44,000	
Civil charges at Bombay . . . . .		40,800	
			8,00,000
Total of civil charges, &c., in Sonat rupees . . . . .			40,64,000
Ditto in Sicca rupees . . . . .			38,20,160
Total of ditto in pounds sterling . . . . .			<u>£477,520</u>
MILITARY CHARGES.			
IN BENGAL.			
Two regiments of Native Cavalry, at 20,000 rupees per mensem . . . . .		40,000	
Seven ditto of Native Infantry, at 30,000 each per mensem		2,10,000	
Horse Artillery . . . . .		2,000	
Extra cattle to the increase . . . . .		10,000	
Off-reckonings . . . . .		17,000	
Wear and tear of two regiments of Cavalry . . . . .		5,000	
Military stores, contingencies, buildings, &c., not fixed in the amount . . . . .		25,000	
Per mensem . . . . .		3,09,000	
Per annum . . . . .			37,08,000
FORT ST. GEORGE.			
One regiment of Native Cavalry, including off-reckonings		22,100	
Four regiments of Native Infantry, at 29,000 each . . .		116,000	
Off-reckonings . . . . .		6,400	
Military stores and other charges . . . . .		15,000	
Wear and tear of horses for one regiment . . . . .		2,500	
Per mensem . . . . .		1,62,000	
Per annum . . . . .			19,44,000
BOMBAY.			
One regiment of Infantry . . . . .		29,000	
Off-reckonings, &c. . . . .		1,600	
Per mensem . . . . .		30,600	
Per annum . . . . .			3,67,200
Total increase of the military charges in Sonat rupees . . . . .			60,19,200
Ditto in Sicca rupees . . . . .			56,40,000
Ditto in pounds sterling . . . . .			<u>£705,000</u>

## ABSTRACT.

CIVIL CHARGES, PENSIONS, &C.			
Sonat Rupees.	Sicca Rupees.	Pounds Sterling.	Total Pounds Sterling.
40,64,000	38,20,160	477,520	1,182,520
MILITARY DITTO.			
60,19,200	56,40,000	705,000	

The increase of the military establishments required in India, and which I have now estimated, beyond those of 1802-3, consists of 2 regiments of Native cavalry and 7 regiments of Native infantry in Bengal; one regiment of Native cavalry and 4 regiments of Native infantry on the establishment of Fort St. George; and one regiment of Native infantry on the establishment of Bombay. In the general distribution of the armies in India, which was made subsequently to the treaties of peace concluded at the end of the year 1803, it was settled that the army of Bengal should supply the troops required for the subsidiary force to serve with Scindiah (being 6 battalions), and the subsidiary force to serve with the Ranah of Gohud (being 3 battalions), as well as troops for the Company's territories under the Presidency of Bengal, including the acquisitions in Bundelcund, those made from Scindiah in the Dooab and in Hindustan, and the province of Cuttack. By the same distribution the Government of Fort St. George was to supply, as it had formerly done, the troops to serve with the Nizam; and all those required for the southern parts of the Peninsula, including the garrisons and provinces on the coast of Malabar (with the exception of Goa), and one regiment of cavalry for the Peshwah; and the Government of Bombay was to supply 6 battalions for the subsidiary force to serve with the Peshwah, 3 battalions to serve with the Guickwar, a garrison for Bombay, a garrison for Goa, and troops to occupy the territories ceded by the Peshwah and the Guickwar in Guzerat, and in the neighbourhood of Surat. The establishments in the year 1802-3 having been formed on the lowest scale compatible with the maintenance of tranquillity and security, and with a view to external peace, it stands to reason that they could not supply the additional troops required from them without some additions. The establishment of Bengal required an addition of 6 battalions to serve with Scindiah, and 3 to serve with the Ranah of Gohud. The smallest number that could be required for the protection to be given to the cities of Delhi and Agra, to

the person of the King, and to the territories in the Dooab, in Hindustan, and in Cuttack, is 2 regiments of Native cavalry and 5 battalions of Native infantry; which numbers complete the augmentation (viz. 14 battalions) made to the Bengal army since 1802-3. By the late arrangements made in India with Scindiah, it appears that the subsidiary troops for that chieftain, and for the Ranah of Gohud, will not be required for those services; and if it had been intended to make a more favorable statement of the finances in India than their situation warrants, it would have been possible to strike off from the estimate of increased military charges (amounting, as I have already shewn, to upwards of 60 lacs of rupees) the expense of 4 regiments of Native infantry at least: but it is apprehended that the service of a portion of these troops will be required in Bundelcund for some time; and, at all events, that the number of 2 regiments of Native cavalry and 5 battalions of Native infantry is scarcely sufficient to perform the additional services which will be required from the Bengal army, in consequence of the additions made to the territories under the Bengal Government, by the treaties of peace concluded at the end of the year 1803.

In consequence of the distribution made in the year 1804, the duties of the provinces on the coast of Malabar which in 1802-3 had been performed by the army of Bombay, fell to the lot of the army of Fort St. George. These duties had always required 8 battalions: and when, in consequence of the distribution which I have noticed, it had become necessary to remove the Bombay troops from those provinces to the northward, an augmentation of the army of Fort St. George, to the amount of 4 regiments, became necessary. The regiment of cavalry to be supplied to the Peshwah also required that a regiment should be added to the establishment of Fort St. George. The duties which fell upon the Bombay army by the distribution of 1804 required for the subsidiary force with the Peshwah 6 battalions, for the subsidiary force with the Guickwar 3 battalions, and garrisons for Bombay, Goa, Baroach, Surat, and troops to occupy the territories of Guzerat and in the neighbourhood of Surat, ceded by the Peshwah and the Guickwar, and conquered from Scindiah; the detailed number for each of which services it is not necessary to mention.

It will be observed from this statement that the additional services required from the armies of Fort St. George and Bombay,



in the year 1804, and at the present moment, beyond those required in the year 1802-3, exclusive of the garrison for Goa, are, one regiment of cavalry and 6 battalions for the Peshwah, 3 battalions for the Guickwar, and troops for the conquered and ceded territories in Guzerat. Accordingly, the addition made to the military establishments, the expenses of which are included in the estimate of 60 lacs, are one regiment of cavalry and 4 regiments of Native infantry for Fort St. George, and one regiment for Bombay; making, in the whole, 10 battalions. No reductions of these establishments can, in my judgment, be made with safety. The total of charges, therefore, for a future peace establishment, including the charges of 1802-3, and adding the civil and military charges occasioned by treaties of subsidy, and by the consequences of the Mahratta war, will stand thus :

	£.
Charges of 1802-3. . . . .	10,656,834
Additional civil charges, rendered necessary by treaties of subsidy, peace, &c. . . . .	477,520
Additional military charges . . . . .	705,000
Total future charges . . . . .	11,839,354
The revenues, as before stated, will be . . . . .	14,668,121
Leaving a surplus revenue of . . . . .	£2,828,767

From this sum must be deducted the interest of the debt, as stated in the account No. 2, (*page 93*.) 1,823,040*l.*; to which sum must be added the interest on the sum to be borrowed to supply the deficiency in the year 1805-6 (*viz.* 2,655,957); being at 10 *per cent.* 265,595, making the total interest of the debt, in 1806, 2,088,635; and the actual surplus, after providing for every demand, will be 740,132. In calculating this surplus, no credit is taken for any augmentation of revenue beyond 1802-3; although it is certain that some branches, such as salt and opium, must be, and have been already augmented; the revenues of the provinces gained by the peace will also produce more than they have been estimated at.

The actual debt in India in April, 1805, was, according to account No. 1 (*page 90*), 28,197,498*l.*, including arrears of establishments, debts not bearing interest, and demands upon the Company of every description. To this debt must be added the deficiency of resource, as stated in *page 93*, for the year 1805-6, being 2,655,957*l.*; and the total gross debt, on the 30th of April, 1806,

will be 30,853,455*l*. From this sum ought to be subtracted 3,151,064*l*. (being the amount in possession of the Commissioners for the redemption of the debt on the 30th April, 1805), and the balance will give 27,702,391*l*. for the net debt of India on the 30th April, 1806; of which sum, the amount bearing interest appears to be 24,250,824*l*. When this debt, however large, is compared with the assets in India, and with the value of the forts, houses, warehouses, &c., in India (valued in No. 23, *page* 78, at 9,994,208*l*., all necessary for carrying on government, which have cost money, and would cost money to the Company's successors, whoever they might be, supposing the transfer of the territory ever to take place); and when to these sums is added the amount of the Company's claims upon Government for money expended in India, on account of the public; it may fairly be stated, that the actual value of the property of the East India Company in India exceeds the amount of their debts. I am aware of an error in this statement, as, in this view of the debts and assets, the amount in the possession of the Commissioners of the Sinking Fund ought to be subtracted from the amount of the quick stock on the 30th April, 1804. But there is an error also in the assets. The quick stock is estimated only to April, 1804, and is stated, in *page* 72, to amount to 17,252,399*l*. But in the calculation of these assets there is an omission of 1,348,600 pagodas in the cash at Fort St. George. It appears by the paper No. 19 (*page* 63), that the balance remaining in the different departments at Fort St. George on the 30th April, 1804, was 5,719,605 pagodas; whereas credit is given in the account of the assets to the same period for only 4,471,005 pagodas. The difference between these sums ought to be credited to the assets in April, 1804, viz. 1,348,600 pagodas, or 500,000*l*. The additional sum in the hands of the Commissioners of the Sinking Fund on the 30th April, 1805, ought likewise to be added to the assets calculated to that period.

		Current Rupees.
The sum stated, in <i>page</i> 48, to be in the hands of the Commissioners for the reduction of the debt on the 30th of April, 1804, is . . .		2,80,00,563
On the 30th of April, 1805, it is . . . . .		3,15,10,648
Difference to be added to the assets calculated up to April, 1805 . .		<u>35,10,085</u>

In estimating the assets to April, 1806, it is proper to add to them the sum which will be in the hands of the Commissioners of the Sinking Fund in April, 1806, viz. :—

Interest upon the sum of 3,15,10,648 current rupees for one year, from April, 1805, to April, 1806, at 8 per cent, is about . . . . .	Current Rupees. <u>25,00,000</u>
To the Assets, then, as they stood in April, 1804, viz. . . . .	£17,252,399
Must be added the sum at Madras, omitted . . . . .	500,000
The additional sum stated to be in the hands of the Commissioners of the Sinking Fund in April, 1805 . . . . .	351,008
The interest upon 3,15,10,648 rupees, or 3,151,064 <i>l.</i> , for one year to April, 1806 . . . . .	<u>250,000</u>
And the total of the Assets in April, 1806, will be . . . . .	<u>£18,353,407</u>

This view of the Debt and Assets of different descriptions, however, is taken only as a general one, and not by any means to be relied upon. Measures undoubtedly ought to be taken to reduce the amount of the debt; but if, from circumstances, those means should be impracticable, this general statement will serve to show, that in case of the transfer of the territory, upon the conclusion of the Charter, there is value in India to the amount of the debt. But it may be contended, that this statement is no justification of the amount of the debt, which, from 1793, when it was 7,362,190*l.*, has increased to be, in April, 1806, 27,722,391*l.*; of which sum 16,669,745*l.* have been incurred since 1798, under the administration of the late Governor-General, Marquis Wellesley.

In order to understand the mode in which this debt has been incurred, it is necessary to advert to the state of the Company's affairs in the year 1798. It was this:—

The revenues at that time were . . . . .	£.	£.
The charges, including supplies to Bencoolen, &c. . . . .	7,650,654	8,059,880
The interest on the Debt was . . . . .	<u>603,928</u>	<u>8,254,580</u>
Leaving a deficiency of resource, or a surplus net charge, of		<u>£194,700</u>
The Debt in 1798 was . . . . .	<u>11,032,645</u>	
The Assets in India were . . . . .	<u>£9,922,903</u>	

This state of the resources in India had been occasioned by a laudable desire to increase the investment as much as was possible, which will be seen by a review of what had passed between the years 1793 and 1798.

	£.	£.
In April, 1793, the revenues of India were . . . . .		8,294,399
The charges, including Bencoolen, &c., were . . . . .	6,155,968	
The interest of the Debt was . . . . .	526,205	
	<u>          </u>	<u>6,682,173</u>
The Surplus Revenue, after providing for all charges, exclusive of receipts for sales, &c., was . . . . .		<u>£1,612,226</u>
The Debt was . . . . .	7,362,190	
The Assets were . . . . .	<u>£8,834,538</u>	

In the course of the 5 years between 1793 and 1798 the following events occurred to increase the charges in India. There was war in Europe ; an expedition was fitted out against Mauritius, and another against Manilla ; Pondicherry and Cochin were taken ; and maritime expeditions were sent against Ceylon, Malacca, and the Eastern Islands. It was necessary to keep up large establishments in the conquests made ; and salaries were paid to the civil and military servants of our enemies, who became our prisoners. During the same period of time the Company's military establishments in India were new-modelled, and this occasioned an increase of expense. The civil and judicial establishments in Bengal were fixed on the just scale on which they exist at this day ; which, at that time, occasioned an increase of annual expense to a very considerable amount. Accordingly it appears, that the actual charges of the civil and military establishments in 1798 exceeded the actual charges of the civil and military establishment in the year 1793, by the amount of 1,372,209*l.*, and the supplies to Bencoolen, &c., of 1798, exceeded those of 1793 by the amount of 102,477*l.* But the principal cause of the state in which the finances were found, in the year 1798, was the continuing to send home investment at the high rate at which it had been fixed in the year 1793, notwithstanding that the charges of India had necessarily increased, and the revenues had decreased to the amount of 234,519*l.* By reference to the accounts it will be found that, in the 5 years between 1793 and 1798,

	£.	£.
The cost and charges of Investments sent home were . . . . .	9,892,794	
Supplies for China . . . . .	339,444	
Amount advanced in India to the King's and Company's ships during the same period, was . . . . .	<u>551,952</u>	
Making a total, disbursed on account of London, of		10,784,190

Brought forward . . . . .	£10,784,190
The amount of supplies received from Europe, in the same period, for bills drawn, stores, merchandise, export sales, and bullion, was . .	3,744,425
Leaving a balance against London, of . . . . .	<u>£7,039,765</u>

It appears, by what is above stated, that the charges in India, between 1793 and 1798, had increased considerably; but there was, upon the 5 years, a surplus of receipt of revenue, beyond the charges, amounting to 4,181,559*l.*; which, being deducted from the balance before stated against London, leaves the sum of 2,858,206*l.*, which must have been borrowed in India, at high interest, for the purchase of investment. It will be found that

	£.	£.
The Debt incurred in the five years, from 1793 to 1798 was . . . . .		3,665,455
The increase of the Assets in those five years was . . . . .		1,088,365
Those in 1793 being . . . . .	8,834,538	
Those in 1798 being . . . . .	9,922,963	


And the actual increase of the Debt, in comparison with the Assets, was £2,577,090

In a Minute, which Lord Wellesley recorded in June, 1798, he reviewed the state of the finances in India; and pointed out the real cause of the increase of debt in the following words: ‘From that paper it appears, that, allowing for a supply in the course of the year 1798-9, to Fort St. George, of 75,00,000 sicca rupees, or 937,500*l.*, and to Bombay, of 25,00,000, or 312,500*l.*, the deficiency for which provision must be made, in order to meet the expected demands at the three Presidencies respectively, will be, in Bengal, 1,28,68,360; Madras, 43,45,351; Bombay, 41,67,611. The total deficiency, therefore, at the three Presidencies, together, will amount to sicca rupees 2,13,81,321, or 2,672,655*l.* The immediate causes of the estimated deficiency will appear obvious from the annexed accounts. By account No. 27, the sums appropriated in India to the purposes of investments and commercial charges, in the years 1796-7 and 1797-8, amounted to 4,96,15,165 current rupees; having been, in 1796-7, 2,30,70,125, and, in 1797-8, 2,65,45,040; and exceeding the amount of bills drawn upon the Court of Directors from India, within the same period, by the sum of 3,83,39,263 current rupees; the bills drawn on the Court of Directors having been, in 1796-7, 79,88,699, and, in 1797-8, 32,87,203; and by account No. 3, it appears that the proposed investment, for 1798, from all our India

possessions, including the supply promised to Canton, amounts to 2,40,88,000 current rupees. But the accounts Nos. 4, 5, and 6, show, that the total sum applicable to the purchase of investment from the revenues in India, and produce of sales of imports from Europe, was, in 1796-7, 81,43,858; in 1797-8, 96,44,550, and is estimated to be, in 1798-9, 78,20,133. This annual demand, for the purpose of investment, upon a scale so far exceeding the annual means of the three Presidencies, is the principal cause of the present deficiency. The comparative view which I have taken of our expenses and receipts, in examining the causes of our actual distress, sufficiently proves that many of those causes are of an absolute permanent nature, and that most of them must be expected to continue for a considerable time; that the investment, at once the most powerful cause of our temporary distress, the main spring of the industry and opulence of the people committed to our charge, and the active principle of the commercial interests of the Company, is more likely to be increased than to be diminished in any future year; and, consequently, that the embarrassments of our finances must be progressive, if some means be not devised for aiding the resources of this Presidency, which must now be considered as the general treasury and bank of our Indian Empire, furnishing supplies for the service of all our other possessions in India, as well as a large and increasing proportion of the capital employed in the trade to Europe and to China. The mode of supplying this assistance, which I would recommend, has already been suggested by the Accountant-General, and seems to unite several advantages with relation to the interests both of India and Great Britain: it is comprised in the following propositions. That it be respectfully recommended to the Honorable the Court of Directors, to take the earliest occasion of sending out supplies to India to the amount of 85 lacs of rupees, or 1,062,500*l.*, in addition to their usual consignments, by an increase of their annual export of British manufactures and produce to Bengal and Bombay to the full extent of the indents from Bengal and Bombay respectively; and by an annual supply of silver bullion to Bengal, to the amount of 50 lacs, or 625,000*l.* The supply of bullion to be provided, in part, by a proportionate reduction in their usual consignment to China. The increase of the export of British manufacture and produce to Bengal and Bombay will, probably, afford considerable relief to the finances of this Government; as, by

reference to the account of sales of imports from England, it appears that the average imports from England sold in Bengal, in 1796-7, has been above 20 *per cent.*, and at Bombay 35 *per cent.*, and that the demand is increasing. This measure would, at the same time, obviously become highly beneficial to the interests of Great Britain. The export of silver to Bengal would be more advantageous to the Company than the payment of bills, at the present high rate of exchange ; a rate which will probably continue for a considerable period of time. Such a stock of silver would be a relief both to public and private credit, and would invigorate all the financial operations of this Government. From this resource supplies might easily be furnished to Canton, through the medium of the trade in opium. If the sale of British manufactures in Bengal and at Bombay should equal the general expectation, an additional supply of near a crore of rupees, 1,250,000*l.*, would accrue to this Presidency, from the combined result of the two proposed measures. This supply would be nearly equal to the probable amount of the permanent deficiency of our resources. Nothing would be more just than to appropriate a proportion of the profits arising from the sale amount of the investment in Europe to the augmentation of the funds necessary for the purchase of investment in India. Unless some such plan be adopted, or some other means devised of furnishing aid to the resources of Bengal from England, it is evident that a reduction in the amount of the Indian investment will soon become inevitable ; for it cannot be denied that a very large proportion of the capital which has passed into Europe through the medium of Indian commerce for these last two years, and is about to pass in the present year, has been, and must be, created by loans of money raised in India under every circumstance of disadvantage. The increase of the investment, therefore, during the period described, must be viewed as representing, not the surplus revenue, but the increased debt of India. The circulating capital of India, which is known to be very inconsiderable, in proportion to the productive and commercial powers of the country, cannot supply so large a drain for any long period of time, even in the event of peace ; but if the war in Europe should continue, the difficulty of raising money for the public service, by loans to be negotiated in India, must become nearly insurmountable.'

At that early period of time the Governor-General earnestly



urged the Company to provide for the investment, by increasing the amount of the supplies sent from Europe. They were still continued, however, upon a scale much too low for the amount of the investment, notwithstanding the efforts which were undoubtedly made by the noble Lord who, at that time, presided at the Board of Control, and by my noble friend (Lord Castlereagh), and by the Court of Directors, to send out larger sums. By a reference to the papers before this House, it will be found, that

	£.
The total amount of the sums laid out in investment, from April, 1798, to April, 1804, was . . . . .	9,619,348
Supplies to China . . . . .	1,761,263
Of advances to the King's and to the Company's chartered ships, in the same period . . . . .	448,931
<hr/>	
Making a total advanced in India, up to 1804 . . . . .	11,829,542
In making up the account of the sums advanced in India, on account of the home concern, the following must be added :	
Advances for Ceylon . . . . .	1,182,472
<hr/>	
Making a total advanced for the home concern, up to April, 1804	<u>£13,012,014</u>

The total actual amount of the supplies received in India by the sale of goods, in bullion and stores, and for bills drawn on the Directors, in the same period, appears to be 9,864,086*l*. The balance is 3,147,928*l*., for which London is indebted to India. It may be said, that the Company had a right to expect aid from the territorial resources of India; that the revenues have increased since April, 1798; and that the financial distresses, which existed at that period, were very soon removed. The events which have occurred since April, 1798, must be recollected. The first of these, in point of time, was the war against Tippoo Sultaun; at the same time that a large army was put into the field on the frontiers of Oude, to oppose Zemaun Shah. The army of Fort St. George did not return to its quarters till the month of December, 1799; and, in the month of May, 1800, the army of Fort St. George was assembled again, and put down the rebellion of Dhoondiah Waugh. Before this service was completed, an expedition was fitted out against Egypt; and, in a few months after the troops had returned from Egypt, the armies of Fort St. George and Bombay were assembled and increased, in consequence of the disturbance in the Marhatta empire. Besides all this, the pay of the King's and Company's troops, serving under Fort St. George, was increased; and the civil and judicial esta-



blishments, under that Government, were placed on a more just scale than they had been before.

During these great and extensive military operations, a variety of others were necessarily carried on in different parts of the peninsula, each of which had a tendency to increase the military charges. According to this statement, it appears, that a very considerable proportion of the debt in India had been incurred at different times by the purchase of investment. If the account between the revenues of India and the Company had been kept in the form of a merchant's account, or in the manner in which the East India Company keep their account against the public, the interest upon each sum borrowed for the commerce of the Company would have been carried to account against them from the moment at which such sum was borrowed. In this view of the case, the interest at 10 *per cent.*, upon 2,858,206*l.*, being the amount laid out in India beyond supplies from England, and surplus revenue previous to 1798, would be,

Annually . . . . .	£. 825,280
And, for eight years, to 1806 . . . . .	2,126,560
The Interest upon the sums borrowed, since 1798, each for their respective number of years, to 1806 . . . . .	633,005
Making a total of . . . . .	<u>£2,759,565</u>

It is evident that all these sums have been charges upon the revenues, and of course have contributed to swell the amount of the existing debt. There is, also, in the amount of the debts incurred during Lord Wellesley's Government, as before stated, a sum of 1,200,000*l.* on the revenues of the Carnatic, with interest; which debt was incurred in a former period, previously to Lord Wellesley's arrival. The mode in which this debt was incurred is as follows: The registered creditors, under the Act of 1784, had a right to certain portions of the annual payments made to the Company by the Nabob, under the treaty concluded with that Prince by Sir A. Campbell. In the year 1791 Lord Cornwallis assumed the Nabob's countries, and applied all the revenues to defray the civil and military charges of the Company. The creditors applied for payment to the Company, and the decision was not passed upon the subject till after the year 1798, when the principal which had been due in 1791, with interest cal-

culated to that period, was added to the Company's bonded debt of Fort St. George.

But there is another view which may be taken of the debt of 27,722,391*l.*, which is supposed to be due in India, on the 30th April, 1806; 16,669,745*l.* of which have been incurred since the 30th April, 1798.

	£.
The Assets in India, in April, 1798, were . . . . .	9,922,903
In April, 1806, supposing them the same as in April, 1804, they were	17,952,299
	<hr/>
Increase of Assets in that period is . . . . .	8,029,396
	<hr/>
Subtract the Increase of Assets from the amount of the Increased Debt since 1798 (16,669,745 <i>l.</i> ), and the remainder will be . .	8,640,349
which is the Net Increase of Debt.	
Set off against the Net Increase of Debt the sum of . . . . .	3,147,725

being the sum applied to investment, to supplies to China, and to His Majesty's and to the Company's chartered ships, beyond the amount of the exports and supplies from Europe, and the result will be, that the debt incurred in India, on account of civil and military establishments and services of all descriptions, including the Egyptian expedition, is 5,492,527*l.* in 8 years, from April, 1798, to April, 1806. This view is liable to the same exception as the former, on account of the error in the accounts of the assets; but the error is not of very great magnitude. In this account of debt, supposed to have been incurred on account of political expenses, is included the amount of supplies to Bencoolen and St. Helena, which, in the 6 years from 1798 to 1804 only, amount to 1,096,736*l.* Upon a review of the accounts which have been laid before Parliament, at different times, it appears that large sums have been expended in India for services chargeable to His Majesty's Government; the Egyptian expedition was carried on at the expense of the Company; and expenses have been incurred in India on account of expeditions against the Danish settlements, and of their capture; for all of which expenses the Company have a claim upon the public. But as these expenses have been incurred in India, and have been a charge upon its revenues, the amount allowed for them, and paid, or to be paid to the Company, ought fairly to be set off against the amount of the debt, as well as the sums advanced to His Majesty's ships, and for the Government of Ceylon already noticed. There are other sums also that now constitute a part of the debt in

India, the value of which the Company have received in England. The total charge of the Molucca islands, during the time they were in the possession of the British Government, ought to be carried against the home concern in the analysis of the debt in India, as nearly the whole of the produce of the Moluccas was sent home, and sold for the benefit of the East India Company.

After this view of the debt, it is to be hoped that its amount, considering all the circumstances which have contributed to raise it, will not prove that the Company's affairs have been managed in an improvident manner; and that the public will see, in the general situation of the Company's finances, ample means of reducing this debt to any amount that may be deemed advisable. If the mode proposed of drawing a proportion of the debt to England be adopted, and the saving of interest, which will be the result of this operation, be added to the annual interest (calculated to amount to 250,000*l.*) upon the principal now in the hands of the Commissioners for the redemption of the debt, this revenue alone will make an impression upon the debt, that must soon reduce it to the level to which everybody wishes to see it reduced. Notwithstanding the large amount of the debt, and the embarrassments occasioned in India, at different times, by the great demands for the various services which were in progress, the Company's credit was improving from the moment of Lord Wellesley's arrival in India to the moment of his departure. On the 1st of June, 1798, the 12 *per cent.* paper in Bengal bore a discount of  $\frac{1}{4}$  to  $\frac{1}{2}$  *per cent.*; on the 29th July, 1805, the 12 *per cents.* were all paid off, and the 10 *per cent.* paper bore a premium of 4 *per cent.* In June, 1798, the 8 *per cent.* paper was at a discount of from  $12\frac{1}{4}$  to  $13\frac{1}{4}$  *per cent.*; in the beginning of 1805, the 8 *per cent.* were at par, and would have continued so, if it had been possible to send out specie from England at an early period in the season. In June, 1798, the 6 *per cent.* paper was at 21 *per cent.* discount; in 1805 the 6 *per cent.* bore a discount of only  $8\frac{1}{2}$  *per cent.* This improving state of the credit is to be attributed to the public confidence produced by the regularity and publicity of all the financial operations of the Government; by the measure of establishing funds at Fort St. George and in Bengal for the redemption of debt; and by the judicious plans adopted for the improvement of the revenue. The amount in

possession of the Commissioners for the redemption of the Debt, on the 30th April, 1805, as appears in *page 90* of the printed accounts, is 3,151,064*l.*, which sum, at 8 *per cent.* interest, will give nearly 250,000*l. per annum* for the reduction of the Debt. The improvements effected in the revenue during Lord Wellesley's government also deserve notice. Exclusive of the increase of revenue, by territorial acquisitions, and by subsidies, it appears that every branch of the revenue of 1798, under the Bengal Government, which in the 5 preceding years had decreased to the amount of 234,519, was improved, under Lord Wellesley's government, as follows :—

	1798. 8. Rupees.	1803-4. 8. Rupees.	INCREASE. 8. Rupees.
Mint duties . . . . .	64,540 ..	68,042 ..	3,502
Post office . . . . .	1,40,398 ..	2,48,127 ..	1,07,729
Stamp duties . . . . .	92,416 ..	5,47,137 ..	4,54,721
Licences for sale of spirituous liquors . . . . .	47,531 ..	1,38,209 ..	90,678
Fees and fines . . . . .	6,606 ..	96,049 ..	89,443
Provincial police . . . . .	4,27,928 ..	4,56,217 ..	28,289
Land revenue . . . . .	2,98,25,183 ..	3,18,05,421 ..	19,80,238
Salt . . . . .	1,03,02,783 ..	1,53,74,223 ..	50,71,440
Opium . . . . .	20,84,184 ..	39,89,200 ..	19,05,016
Customs . . . . .	12,51,469 ..	32,28,865 ..	19,77,396
<hr/>			
Increase of the old revenues of Bengal during Lord Wellesley's government . . . . .	} Sicca Rupees . . 1,17,94,452 Pounds sterling . . 1,349,331		

The total increase of revenues during Lord Wellesley's administration, in different parts of India, was 6,608,239*l.*; the aggregate revenues having been, in 1798, 8,059,880*l.*; and those estimated by me for the future, 14,668,119*l.* The general commerce of the country has been improved equally with the revenue. It appears, by the public documents before this House, that the commerce of India is now able to supply the China market so effectually, as nearly to preclude the necessity of sending bullion to China; and large sums in specie are now imported into India from that country.

After the view, Sir, which I have thus taken of the general situation of the affairs of the East India Company in India, I hope it will be found that their Debt, although large, and certainly pressing in a very great degree upon their prosperity, and upon the attention of those who have the management of their affairs, is not of a magnitude to create any danger; that it appears that

there are means of reducing it, at no very great distance of time, to a moderate amount; and that, under the auspices of the noble Lord (Morpeth), by a just attention to the system of economy which he has recommended, and by reverting to the system and scale of establishments fixed in 1802-3, with such augmentations as the change of affairs has rendered necessary, and as I have already described, the revenues of that great Empire will be found to afford ample means of restoring the finances.

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July 14, 1806.

### MILITARY PAY.

In Committee of Supply,

**SIR A. WELLESLEY** said, respecting the pay of Subalterns in the Guards:

I contend that their pay is too small. I also think that the lowest sum upon which an Ensign can subsist is 5*s.* 8*d.* *per diem*.

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July 18, 1806.

### INDIAN BUDGET.

In Committee on the Indian Budget,

**Mr. PAULL** having contended that the decennial loan, amounting to 3½ millions sterling, and two other loans, contracted for two years at 10 and 12 *per cent.*, and amounting to nearly a million, would all become due in 1808, so that in that year the debt would be increased nearly 9,000,000*l.*,

**SIR A. WELLESLEY** spoke in the following terms:

I consider the Honorable member to be completely wrong in assuming that so large a sum as 10,000,000*l.* is to fall due in 1807. From the calculations I have in my hand I think it is clear that the greater part of the 10,000,000*l.* in question will not become due until the years 1809 and 1810. In the Marhatta war the expenses have been great, but the services also have been great, and in no instance has there been so much service performed at so little expense. The sinking fund in India has had great efficacy in keeping down the discount on the Government securities, and in enabling the Company to obtain loans at low interest, and, in fact, they have been of late obtained at 8 *per*

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*cent.* If there was a large floating debt at the end of the year, there were also, in the hands of the Company, floating securities to balance it.

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July 16, 1807.

### IRISH INSURRECTION BILL.

*SIR A. WELLESLEY* spoke in the following terms :

I move, Sir, for leave to bring in a Bill for the suppression of insurrection in Ireland, and to prevent the disturbance of the peace in that country. The House will remember that the circumstances which preceded and attended the suppression of the rebellion in Ireland, rendered stronger measures than the established laws afforded, necessary at the time in that country. An Act was therefore passed by the Irish Parliament, in 1796, 'to prevent unlawful assemblies,' and to authorize the Lord Lieutenant, on a report of the magistrates, to proclaim any county wherein disturbances existed. That law required all persons, in such counties, to keep within their dwellings between the hours of sunset and sunrise, and it gave to the magistrates the power of sending persons who should be found to offend against it on board his Majesty's navy. This Act proved effectual for the suppression of the insurrection, as appeared from the acknowledgment of the leaders of that insurrection when examined before a Committee of the Irish Parliament. But, though such a law might have been necessary, it is the duty of this House to guard against the abuse of the powers which it conferred. The Bill I now propose to bring in contains the same provisions as the Insurrection Act, with respect to the power of the Lord Lieutenant to proclaim disturbed counties, and the authority of the magistrates to arrest persons who shall be found out of their dwellings between sunsetting and sunrise; but, in order to prevent hardships that might otherwise ensue from these enactments to the subject, the Bill requires that persons so arrested shall be tried at the Quarter Sessions, by the magistrates and assistant barrister, assisted by a King's counsel, a serjeant-at-law, specially to be sent down for that purpose.

Besides this Bill, Sir, I mean to move for leave to bring in another, to prevent improper persons from keeping arms, by obliging all persons to register their arms, and authorising the magis-

trates, when it shall appear to them necessary to do so, to search for arms.

These Bills, Sir, I should state, were prepared by my predecessor in the office I have the honour to fill ; and the only difference is, that, whereas the Bill of my predecessor gave a negative to the King's counsel or serjeant, I propose to take such negative from him, as it appears to me that that negative would render the measure nugatory. I mean, however, to substitute a clause, which shall, in case of any difference between the King's serjeant and the bench, suspend the execution of the decision of the magistrates till the serjeant shall have reported the matter to the Lord Lieutenant.

Leave given.

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*July 16, 1807.*

#### INDIAN FINANCE.

Mr. GRANT moved the Order of the Day for the second reading of the East India Company's Bonds Bill.

*SIR A. WELLESLEY* said :

I rise to support the measure before the House, and I shall move that it be now read a second time, being fully convinced of the propriety of our proceeding upon it without delay. I am very anxious that an inquiry should be made into the affairs of the East India Company. It is my firm and decided opinion that there is not any way of ascertaining whether the revenue of the Company abroad is equal to their expenditure or not, unless the House resolves to have a general view of the receipts and disbursements of the Company, from the commencement of their Charter, laid before the House, and in the hands of every Member. The Company's investments have been, in all respects, duly attended to and provided for. The difficulties with which the Company has to struggle arise from the present state of the continental market, the Company having goods intended for it to the amount of 7,000,000*l.* on hand. As to what has fallen from Honorable gentlemen opposite in reference to the general condition of the Company's affairs, I would beg to remind the House that the territorial revenue of India yields an annual surplus of



1,000,000%. above the expenditure, and it cannot be disputed that the late wars have rendered our empire in that country more secure than it has hitherto been against any attempts upon it by the native powers. With respect to the policy of the last two wars it is to be observed, that one of them has already been approved of by Parliament, and when any question relative to the other shall be regularly brought before this House I shall state my reasons why I think the justice and necessity of it rested upon fully as sufficient ground as that which has received the sanction of the Legislature.

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[SECOND SESSION OF THE FOURTH IMPERIAL PARLIAMENT.]

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HOUSE OF LORDS. *January 28, 1808.*

THANKS OF PARLIAMENT.—COPENHAGEN.

Lord HAWKESBURY moved,

‘That the Thanks of this House be given to Lieut.-Gen. Lord Viscount Cathcart, &c., for the judicious and decisive measures which, after exhausting every means of negotiation, were employed by him for effectuating the surrender of the Danish Navy and the Arsenal of Copenhagen;’ and to the General and other officers and troops under his command.

His Lordship stated, that the command of the army in the field had been given to an Honorable friend of his, Major-Gen. the Right Hon. Sir A. Wellesley, who had displayed all that energy, zeal, and ability, which had so conspicuously marked his conduct on former occasions.

The motion was put and carried.

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HOUSE OF COMMONS. *January 28, 1808.*

THANKS OF PARLIAMENT.—COPENHAGEN.

Lord CASTLEREAGH moved,

‘That the Thanks of this House be given to Lieut.-Gen. Lord Viscount Cathcart,’ &c. (*see HOUSE OF LORDS*).

The motion was put and carried.

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*February 1, 1808.*

Major-Gen. the Hon. E. Finch, Major-Gen. T. Grosvenor, and Major-Gen. the Right Hon. Sir A. Wellesley, being come to the House, the SPEAKER acquainted them that the House had, upon Thursday last, resolved,

‘That the Thanks of this House be given to them for the zeal, intrepidity,



and exertion which they displayed in the various operations which were necessary for conducting the siege, and effecting the surrender of the Danish Navy and Arsenal of Copenhagen.'

The SPEAKER gave them the Thanks of the House accordingly, as follows :

'Major-Gen. Finch, Major-Gen. Grosvenor, and Major-Gen. Sir A. Wellesley : This House, contemplating the services performed by His Majesty's army, on the late Danish expedition, and applauding the zeal, intrepidity, and exertion displayed by the General officers employed in the reduction of Copenhagen, has conferred upon them the high honor of its approbation and Thanks ; a higher reward this House has not to bestow. In distributing these honors, it is at all times matter of just pride and satisfaction to this House to behold within its own walls any of those distinguished persons whose merit has raised them to this eminence. But I should indeed be wanting to the full expression of those sentiments which animate this House and the whole country, if I forbore to notice that we are on this day crowning with our Thanks one gallant officer, long since known to the gratitude of this House, who has long trodden the paths of glory, whose genius and valor have already extended our fame and empire, whose sword has been the terror of our distant enemies, and will not now be drawn in vain to defend the seat of empire itself, and the throne of his Sovereign. I am charged to deliver the Thanks of this House to you all, and I do accordingly thank you, in the name of the Commons of the United Kingdom, for your zeal, intrepidity, and exertion, displayed in the various operations which were necessary for conducting the siege, and effecting the surrender of the Navy and Arsenal of Copenhagen.'

Major-Gen. FINCH and Major-Gen. GROSVENOR having returned their acknowledgments,

SIR A. WELLESLEY addressed the Chair in these terms :

Mr. Speaker, I consider myself fortunate that I was employed by His Majesty on a service which this House has held of such importance, as to have marked with its approbation the conduct of those officers and troops who have performed it. The honor which this House has conferred upon my Honorable friends and myself is justly considered by the officers of the Navy and Army as the highest which this country can confer ; it is the object of the ambition of all who are employed in His Majesty's service,

and to obtain it has doubtless been the motive of many of those acts of valor and good conduct which have tended so eminently to the glory, and have advanced the prosperity and advantage, of this country. I can assure the House that I am most sensible of the great honor which they have done me; and I beg leave to take this opportunity of returning to you, Sir, my thanks for the handsome terms, respecting myself, in which your kindness to me has induced you to convey the resolution of the House.

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April 13, 1808.

### ROMAN CATHOLICS.

In Committee of Supply, on the resolution, 'That a sum not exceeding 20,000*l.* be granted to His Majesty towards defraying the charge of the Protestant Charter Schools of Ireland, for the year ending,' &c.,

Mr. PARNELL called the attention of the House to the *Protestant Catechism* used in these schools, the contents of which were almost exclusively directed to the most unfounded abuse of the tenets of the Roman Catholic Church.

**SIR A. WELLESLEY** said :

I am sorry, Sir, that this subject should have been drawn into discussion in this House. It has already engaged the attention of the Board of Education, and they will probably give the necessary directions with respect to it. For my own part, I have certainly never seen the *Protestant Catechism*, which the Honorable member has just alluded to. Neither am I acquainted with those other documents from which he has quoted, in order to refute the statements in the Catechism that have given him so much offence. But, Sir, I do think that, when that Honorable gentleman has stated what the opinions are which he says are inculcated in some schools, he should have told us what those are which are taught in others. Now I have been informed that in several Roman Catholic schools children have been taught to read, not out of the Bible, but out of Paine's *Rights of Man*, and in books professing to give an account of the sufferings and ill-treatment which the Roman Catholics of Ireland have experienced at the hands of the Protestants. Such an education as this, it is evident, must necessarily breed them up in a fixed and rooted hatred to Protestants.

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*April 29, 1808.*

In Committee of Supply,

Mr. FOSTER moved the following resolution :

‘ That a sum not exceeding 9250*l.*, Irish currency, be granted to His Majesty to defray the expenses of the Roman Catholic Seminary in Ireland for the current year.’ In the previous year the usual grant had been increased to 13,000*l.*, for the purpose of erecting buildings to accommodate 50 students in addition to the 200 already provided for in former years under the annual grant of 8000*l.*

Sir J. NEWPORT moved, by way of amendment, to leave out the words 9250 before the word ‘ pounds,’ for the purpose of inserting 13,000*l.* in their stead. It was expedient that the Catholic priesthood of Ireland should be educated in their own country, and under the eye of Government. If it had been determined in 1793 that it was necessary to educate 426 students, a less number would surely not suffice at this time, considering the rapid advance of the population of Ireland in the interval.

SIR A. WELLESLEY said :

It may be proper for me, in the first place, to declare that the ground on which I am induced to concur in the motion of my Right Honorable friend is, my firm conviction that the number of priests who will, under this grant, be educated at the College of Maynooth, will prove, according to my Right Honorable friend’s proposition, in addition to those educated in other parts of Ireland, (and of whom, I must observe, the Right Honorable Baronet has taken no notice,) fully adequate to the purposes for which they are required. As far as I can understand, the number of Catholic priests necessary in Ireland is 2000. One hundred and eleven students are educated in different parts of that island for the priesthood. (The Right Honorable Secretary here enumerated the places.) These 111, added to the 250 which it is proposed to educate at Maynooth, will make 361. The term of education is 7 years, but frequently it does not extend beyond 5. Supposing, therefore, that on an average 50 students would annually become fit for ordination, I conceive that the number would be sufficient to keep up the necessary establishment. The fact is, that, when the Maynooth Institution was first established, it was not intended that it should be maintained by the public purse. The Memorial presented previously to the foundation of that establishment prayed only for a Charter, in order that its funds might be better secured. With respect to the 478 Catholic students who, according to the Right Honorable Baronet (Sir J. Newport), were educated on

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the Continent before the French Revolution, the fact is, that most of them received priests' orders before they went abroad. It will be found, upon inquiry, that about 300 of them supported themselves when abroad by the exercise of their function as priests.

After further discussion, the Committee divided upon the amendment: Ayes, 58; Noes, 93. Majority, 35.

The original resolution was then agreed to.

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*May 5, 1808.*

DR. DUIGENAN.

On Mr. WHARTON bringing up the Report of the Committee of Supply on the grant of 9250*l.* for the Roman Catholic College of Maynooth,

*SIR A. WELLESLEY* said:

In reply to the remarks of the Right Honorable Baronet I beg leave, Sir, to apprise Honourable gentlemen that when I asserted, in the course of a former debate, that it was the original proposition of the Roman Catholics of Ireland to support this institution at Maynooth themselves, I spoke upon the authority of the original Memorial addressed to the Government on this subject. A copy of that Memorial had been furnished to me by Dr. Troy. The Memorial was dated 14th January, 1794; nothing more was prayed for in it than the Royal Licence for the erection of the College; and it shews, I shall again contend, that the object contemplated by the Catholics at that time was to obtain permission for the establishment of this institution with their own funds.

Dr. DUIGENAN declared that, if anybody would move to withdraw the grant to Maynooth altogether, he would second the motion, considering the Roman Catholics of Ireland 'bad subjects, and hostile to the State.'

Mr. BARHAM congratulated His Majesty's Government on the credit they must needs acquire with the country for the liberality and wisdom of their policy to Ireland, if the report was true which he had heard, that they intended to dignify with the title of 'Right Honourable' the learned gentleman from whom the Committee had just heard language so vilifying and disgraceful as applied to the Irish people.

*SIR A. WELLESLEY* said:

I can have no hesitation in declaring that the Lord Lieutenant has recommended that the learned gentleman (Dr. Duigenan) should be appointed a member of His Excellency's Privy Council;

and I believe that the reason of that recommendation is, that the Honorable and learned gentleman's presence at the Council's deliberations is deemed to be absolutely necessary for the better dispatch of those ecclesiastical affairs which form so considerable a portion of the business that comes before it.

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*May 11, 1808.*

On Mr. BARHAM bringing forward a motion relative to the appointment of Dr. Duigenan as a member of the Privy Council for Ireland,

*SIR A. WELLESLEY* said :

Sir, I am bound to declare that the Honorable and learned gentleman who has been so frequently and so pointedly alluded to on this occasion never did, himself, make any application for that honorable appointment which it has been thought fit to extend to him. That appointment, I may state, was recommended on this ground : that the learned gentleman already fills the responsible office of Judge of the Prerogative Court, the holders of which, with the exception, I believe, of the learned gentleman's immediate predecessor, usually sat at the Privy Council. There is, moreover, a great deal of ecclesiastical business, relating to the unions and disunions of parishes, generally pending before the Council. For example, glebe-houses have become the subject of more extensive care than formerly, in consequence of an act brought in by a Right Honorable gentleman (Sir J. Newport) last year. The presence of the Judge of the Prerogative Court is essential to the dispatch of this sort of business. The appointment being thus necessary, I apprehend it will not be said that there was anything in the character of the learned gentleman to render it improper. The learned gentleman may have allowed his zeal for the Established Church to betray him into language too warm, and perhaps indiscreet ; but that is surely no reason why he should not be called to the service of Government, where he is peculiarly fitted to do service. The learned gentleman is not likely to become, at any time, a general adviser of the Lord Lieutenant, or to be called upon for his advice. He is, in short, to be a privy councillor for ecclesiastical affairs. Excessive zeal, we know, is often the cause of indiscreet language on both sides of the House, and every example of it that is cited ought to serve as a warning

to each to avoid being betrayed into it in future. My own opinion undoubtedly is, and has always been, that, without distinction of religion, every man ought to be eligible to be called upon to do service to the State in that department or branch of service wherein he may happen to be peculiarly qualified. On this principle I think that the Honorable and learned gentleman ought to be appointed a member of His Majesty's Privy Council for Ireland.

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*May 16, 1808.*

### CHURCH REVENUES, IRELAND.

Sir J. NEWPORT moved for leave to bring in a Bill for the more equal valuation of the Revenue of the First Fruits in Ireland, and for the due collection thereof.

*SIR A. WELLESLEY* said :

It is my intention to oppose this motion. I believe that the valuation which now exists was originally taken in the reign of Henry VIII. One great consideration in connexion with this question, Sir, at present is, whether the clergy in general are not sufficiently provided for. I should think, at least, for my own part, that a large proportion of the clergy are already thus sufficiently provided for, though, undoubtedly, others are not so. The better order of clergy in Ireland are already subject to a variety of expenses on their promotion, besides their not receiving any emolument from their benefices for some time after their appointment. But the measure now proposed by the Right Honorable Baronet would go to benefit all the clergy equally. It is very true that many of them do not pay the First Fruits ; but the actual inequality in that respect is so small that I do not at all think it worth while to alter the valuation ; the more especially as there are other funds for the enlargement of glebe-houses in Ireland ; and the sum which it is now proposed to grant, in addition, for this purpose, not being very large, I believe, Sir, that the House will think with me, that there has been no sufficient ground adduced for such a Bill as that which the Right Honorable Baronet has moved for.

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*June 3, 1808.*

### THE ARMY.

Mr. LYTTLETON moved for leave to bring in a Bill to amend the constitution of Courts Martial.

Sir F. BURDETT, seeing that naval discipline was found adequate to every good purpose, could imagine no good reason why the more equitable constitution of Naval Courts Martial should not extend to the Army.

*SIR A. WELLESLEY* said :

The House will perceive that the measure now proposed will go not only to alter the Mutiny Act, but also the Articles of War. With respect to the distinction which has just been taken by the Honorable Baronet, I need only observe that the Navy is the characteristic and constitutional force of Britain. It may, therefore, be well governed now in accordance with the regulations of the Legislature. But the Army is, to a certain extent, a new force, the institution of which among us has arisen out of the extraordinary exigencies of modern times, and must, I contend, upon every consideration of expediency, and from the necessity of the case, be left under the control of the Crown.

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[THIRD SESSION OF THE FOURTH IMPERIAL PARLIAMENT.]

### THANKS OF PARLIAMENT.—VIMEIRO.

HOUSE OF LORDS. *January 22, 1809.*

The Earl of LIVERPOOL moved,

‘ That the Thanks of this House be given to the Right Hon. Lieut.-Gen. Sir A. Wellesley, K.B., for the distinguished valor, ability, and conduct displayed by him on the 17th and 21st of August last in Portugal, on the latter of which days he obtained at Vimeiro over the army of the enemy a signal victory, honorable and glorious to the British arms.’

The noble Earl, in his speech introductory to this motion, directed their Lordships’ attention to the consummate skill and intrepidity displayed by the gallant General (Sir A. Wellesley) in securing the brilliant results that had signalized this memorable victory. From certain intimations which had reached him, the noble Earl thought it necessary to notice the reason why the name of Lieut.-Gen. Sir H. Burrard was not included in this Vote. Although that officer nominally had the command at a part of the period alluded to, the actual command, until the conclusion of the Battle of Vimeiro, remained with Sir A. Wellesley, ‘ who made all the dispositions, and carried them into execution.’

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HOUSE OF LORDS. *February 1, 1809.*

The LORD CHANCELLOR acquainted the House, that, in pursuance of the order of this House of Monday the 23rd of January last, he had transmitted their Lordships' Resolution of that day, giving the Thanks of this House to the Right Hon. Lieut.-Gen. Sir A. Wellesley, K.B., and that he had received the following letter from Lieut.-Gen. Sir A. Wellesley, in which he returns an answer to the said Resolution.

*The Right Hon. Sir A. Wellesley, K.B., to the Right Hon. the Lord Chancellor.*

MY LORD,

London, January 28th, 1809.

I have had the honor of receiving your Lordship's letter of the 24th instant, containing copies of the unanimous Resolution of the House of Lords, conveying the approbation of their Lordships of my conduct, and of that of the General and other officers, non-commissioned officers, and soldiers composing the army which I commanded in Portugal; and their Lordships' desire that I should communicate their Lordships' vote to the respective General officers and to the officers commanding the corps employed on the service in that country.

I have received the mark of distinction which the House of Lords have conferred upon me with sentiments of gratitude and respect proportionate to the high sense I entertain of the greatness of the honor which it carries with it; and I shall have great pleasure in communicating to the General officers respectively, to the officers and the troops, the distinguished reward of their exemplary conduct which their Lordships have conferred upon them.

I beg leave, at the same time, to express to your Lordship my thanks for the expressions of personal civility with which your Lordship has conveyed to me the commands of the House.

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HOUSE OF COMMONS. *January 25, 1809.*

LORD CASTLEREAGH moved,

'That the Thanks of this House be given to Lieut.-Gen. Sir A. Wellesley, K.B.,' &c. (*see* HOUSE OF LORDS).

The noble Lord described the operations and events of the 17th and 21st of August, and entered into an explanation with regard to the omission of Sir H. Burrard's name in the resolution. He bore testimony to the generous disinterestedness with which that gallant officer had refused to take any share in a transaction which had redounded so much to the glory of Sir A. Wellesley; and added, that the King had expressed to him His Majesty's approbation of the liberality thus evinced by Lieut.-Gen. Sir H. Burrard in not taking the command on the day of the victory.

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*January 27, 1809.*

Sir A. Wellesley being come to the House, the **SPEAKER** acquainted him that the House had, upon Wednesday last, resolved,

‘That the Thanks of this House be given to him, for the distinguished valor, ability, and conduct displayed by him on the 17th and 21st of August last in Portugal, on the latter of which days he obtained at Vimeiro, over the army of the enemy, a signal victory, honorable and glorious to the British arms.’

The **SPEAKER** gave him the Thanks of the House accordingly, as follows :

‘Lieut.-Gen. Sir A. Wellesley : After the events of the last year, it was impossible that Parliament should reassemble without directing its earliest attention to the services of the British army in Portugal ; and amidst the contending opinions which have prevailed upon other questions, the public voice has been loud and general in admiration of your splendid achievements. It is your praise to have inspired your troops with unshaken confidence and unbounded ardor ; to have commanded, not the obedience alone, but the hearts and affections of your companions in arms ; and, having planned your operations with the skill and promptitude which have so eminently characterized all your former exertions, you have again led the armies of your country to battle, with the same deliberate valor and triumphant success which have long since rendered your name illustrious in the remotest parts of this empire. Military glory has ever been dear to this nation ; and great military exploits in the field or upon the ocean have their sure reward in Royal favor, and the gratitude of Parliament. It is therefore with the highest satisfaction that, in this fresh instance, I now proceed to deliver to you the Thanks of this House ; and I do now accordingly, by the command, and in the name, of the Commons of the United Kingdom of Great Britain and Ireland, thank you “for the distinguished valor, ability, and conduct displayed by you on the 17th and 21st of August last in Portugal, on the latter of which days you obtained at Vimeiro over the army of the enemy a signal victory, honorable and glorious to the British arms.”’

**SIR A. WELLESLEY** addressed the Chair in the following terms :

Mr. Speaker, I beg leave to express my acknowledgments to the House for the high honor they have conferred upon me, by the notice which they have taken, and the approbation they have conveyed, of my conduct during the time I commanded His Majesty's troops in Portugal. No man can value more highly than I

do the honorable distinction which has been conferred upon me ; a distinction which it is in the power of the representatives of a free people alone to bestow, and which it is the peculiar advantage of the officers and soldiers in the service of His Majesty to have held out to them as the object of their ambition, and to receive as the reward of their services. I beg leave, at the same time, to return you, Sir, my thanks for the handsome terms in which your kindness, I ought to say your partiality for me, has induced you to convey the approbation of the House.

I gladly avail myself, Sir, of this opportunity to bear my earnest testimony to the distinguished gallantry of the late General Anstruther. I am very confident that, had it been consistent with Parliamentary usage to do so, that gallant officer's name would have been included in the vote of this House upon the memorable occasion referred to.

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*January 27, 1809.*

#### CHARGES AGAINST H. R. H. THE DUKE OF YORK.

Colonel WARDLE brought forward his motion for

' A Committee to inquire into the conduct of H. R. H. the Duke of York, Commander-in-Chief of the British Army, with respect to promotions, exchanges, and appointments to Commissions in the Army, and in raising levies for the Army,' and entered into details of the cases upon which his charges were founded.

The SECRETARY AT WAR rejoiced that an opportunity would at length be afforded for instituting a full and complete inquiry into the calumnious imputations which had been so long circulated against that illustrious personage. His gallant friend near him (Lieut.-Gen. Sir A. Wellesley) could probably state of what description that army was which the Commander-in-Chief had placed in his hands. No army could have achieved those great services, on account of which the House had so recently returned its thanks to many gallant officers of it, without having attained a high state of discipline, for which it must have been mainly indebted to the illustrious Prince at its head.

*SIR A. WELLESLEY* spoke in the following terms :

I am heartily rejoiced, Sir, that the Honorable gentleman has at length brought forward allegations of facts to which a specific inquiry may be directed. I greatly rejoice, also, that the character of H. R. H. the Commander in Chief will not be made the subject of that vague and general sort of discussion which sometimes takes place in this House ; but that every fact will be

fully and fairly sifted. In reference, Sir, to the speech which we have this night heard from the Honorable gentleman, the House will allow me to inform them that it has fallen to my lot to know how promotions are conducted in the office of the Commander in Chief; and I know, therefore, that a regular record is kept in that office, in each case, of those who recommend officers for promotion. The documents are always to be found there, so that all these transactions may be completely traced throughout their history. With regard to the product of the Half Pay Fund, the House will further understand that the mode in which the money comes into the office, and the mode in which it is issued out again, are especially recorded likewise. Under these circumstances, I am much gratified that a Committee is to be appointed; and I do hope that that Committee will make a special report on the matter submitted to them. So much, Sir, with regard to the alleged facts. But, I must observe, as to the removal of the barrackmaster at the Cape of Good Hope, on which the Honorable member has been disposed to lay some stress, that such removals are circumstances of common occurrence. The instance in question related to the establishment we keep up in the Island of Ceylon; and as occurring in foreign establishments, I must remark, that, even though the facts which have been stated by the Honorable gentleman should turn out to be true, they would constitute no ground of charge against the Commander in Chief; for the transaction is only in the ordinary course of the service. With respect to the exchange between an officer going to the West Indies and one remaining here, upon which, also, the Honorable gentleman dwelt in one part of his speech, really, Sir, the Commander in Chief would be left in a most extraordinary situation, if it were to be made a ground of accusation against him that he had not assented to a proposed arrangement of this sort, simply because it would have tended to the convenience, perhaps to the benefit, of the two individuals in whose behalf it had been made the subject of application. As to one of the two gentlemen dying here, and the other in the West Indies, if these general charges were to be listened to, reflecting, by implication on the Department as the cause of such casualties, it would be impossible for any person in His Royal Highness's illustrious station to conduct the business of his office.

Then, Sir, certain circumstances have been stated by the Honorable gentleman to show that His Royal Highness, with a view

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to put a little money in his own pocket, has encroached upon the Half Pay Fund. But the House will be pleased to recollect that this very fund was established by His Royal Highness, and that the money which constitutes it is furnished from the produce of commissions, which he might, had he chosen, have given away without their being the subject of sale at all. But what is the case before us? The Commander in Chief has given up his own patronage in the manner I have described, and thus saved to the public the immense sums contributed to the Half Pay Fund and the Compassionate List, and saved by the reduction of the Half Pay List. And yet he is to be charged with an embezzlement of this sort!

But, I repeat, I am glad to find that, at length, a full inquiry is to be instituted into these matters. There is still, Sir, one topic on which I should feel myself much to blame if I did not now say a few words. I allude, Sir, to the state of the army which I had the honor to have under my command last summer. I am bound to declare, Sir, that never was there an army in a better state, so far as its condition depended on the care and exertion of the Commander in Chief. Nay, Sir, I must go further, for I must say, that, if that army had not performed the service for which it was destined, the blame would not have rested with the Commander in Chief but with myself; and whatever enthusiasm they felt in the execution of that service was the result of the example set, and the discipline established, by the Illustrious personage at the head of the army.

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*February 2, 1809.*

#### OFFICE OF CHIEF SECRETARY FOR IRELAND.

Mr. WHITBREAD wished to know whether Sir A. Wellesley, whilst he was fighting the battles of his country on the Continent, had continued to retain the office and to receive the salary attaching to the appointment of Chief Secretary for Ireland?

*SIR A. WELLESLEY* said:

In answer, Sir, to the question which has just been put by the Honorable gentleman, I can have no difficulty in saying that, undoubtedly, it was the wish of the noble personage now at the head of the Irish Government that no one should be appointed to the

office of Chief Secretary for Ireland during my recent absence from this country. It was as certainly in the power of the noble Duke to appoint some other person to fill that situation, had he chosen to do so, whilst I was thus absent; and I was prepared to expect that that step would be taken, had my absence continued much longer. But the noble Duke, out of personal kindness to myself, certainly did retain my name as occupying that official post whilst I went abroad with the army; and during the two months that I was away, it is equally true that I received part of the salary attaching to it. On the other hand, Sir, there was some part of that time for which I did not receive the full pay attached to my military appointment. Now every man who considers what the nature of that appointment was, must be aware that it was one liable to very heavily increased expenses, which I did not feel myself in a condition to afford.

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*February 6, 1809.*

#### IRISH MILITIA BILL.

*SIR A. WELLESLEY* said:

I rise, Sir, in pursuance of the notice I have given, to move for leave to bring in a Bill for amending and reducing into one the several Acts for raising and training the Militia of Ireland. The first Act respecting the militia of Ireland was passed in the year 1793; but the provisions which were at time found efficient for the raising and training the then first levied militia in that country, were afterwards found inadequate when the militia had been once embodied. In consequence of this inadequacy, several Acts were passed in the Irish Parliament, and subsequently others have been passed in the Imperial Parliament, to amend the Act of 1793. In these Acts there have been incorporated many provisions, which are, in various instances, inconsistent and contradictory; and in bringing forward the measure I have now the honor to propose, my object, Sir, is to reduce all these scattered Acts into one, and to amend and class under proper heads the different provisions they contain. Another object which I have in view is the amendment of the law as it now stands respecting the oath to be taken by militiamen upon their enlistment. A doubt has been entertained whether the men who take the oath at present pre-

scribed are bound to serve for 5 years only, or during the war. That doubt this measure is designed, among its other purposes, to remove. Another object which I propose to accomplish by this Bill relates to the ballot. As the law at present exists, the governors and deputy-governors of counties have no power of compulsion to alter the lists. This deficiency I desire to amend by giving such power, whenever the Lord Lieutenant shall call for the alteration of the lists. Another provision I shall introduce will be one enabling the Lord Lieutenant to substitute the mode of parish assessments for the ballot, and also to authorise the governors to raise men for the militia by volunteering.

These, Sir, are the principal provisions of the Bill that I now propose to bring in, and which I have, since last Session, submitted to the consideration of the Lord Lieutenant and the country gentlemen of Ireland, and taken their sense upon.

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*February 6, 1809.*

#### OFFICE OF CHIEF SECRETARY FOR IRELAND.

Mr. WHITBREAD moved,

‘That the office of Chief Secretary for Ireland is an efficient office of the highest responsibility, which ought not to be held by any person absent from the realm, and that the emoluments of it ought not to be paid to any person unable to perform the duties.’

Though he gave the gallant Secretary for Ireland all credit for the manner in which he had discharged both the duties of his distinguished military command and of his responsible civil office, he must still contend that, inasmuch as the personal discharge of the one withdrew him from the personal discharge of the other, the two charges were incompatible, and ought not to be combined in one and the same person.

SIR A. WELLESLEY said:

I must beg leave, Sir, on the present occasion to repeat what I said on a former night upon this subject; and this the more especially as what I then said has been misrepresented. When I was first appointed to the office which I have now the honor to fill, it was clearly understood by the noble Duke at the head of the Irish Government, by my noble and Hon. friends near me, and by the Illustrious personage at the head of the army, that my appointment should not preclude me from accepting any military employment to which I might be named in the service of my country.

Under these circumstances, when the expedition to Zealand took place, I was employed in it, as I was, also, in the expedition to Portugal ; but on both occasions it was clearly understood that I had relinquished all claim to my civil office, in the event of a successor being appointed to me. I retained my civil office solely at the desire of the Lord Lieutenant, who thought that I could still assist him effectually, as I had already done, in carrying out regulations which I had suggested for adoption.

The resolution which has been just moved by the Honorable member goes to declare that a certain efficient Government should at all times exist in Ireland. Sir, I am not disposed to dispute the truth of the abstract proposition ; but I would ask the House to pause before it votes such a resolution. I would have it inquire whether any inconvenience has resulted from my absence, or whether, in consequence, there has not been in the interval an efficient Government in Ireland ? I would further ask the Honorable gentleman whether any public business has been delayed by the space of even twenty-four hours, or whether all the affairs of the Irish Government have not, on the contrary, gone on without interruption ? I would ask, have not the Regulations which I had had the honor of previously arranging with his Grace the Duke of Richmond, for the various departments of the State in that Kingdom, been carried into effect, and the public service been thereby promoted, without intermission ? Under these circumstances, Sir, I would respectfully call upon the House to pause before it votes this abstract proposition, particularly as no inconvenience (I beg to repeat) has hitherto resulted from my absence.

Then, Sir, as to the salary of the Chief Secretary, I allow it to be large, more even than the salary of a Secretary of State in this country. But then the Irish Secretary has not the same rank with regard to situation, character, and consideration as a Secretary of State, and consequently the salary is given to him, not so much simply for performing the duties of the appointment, as to enable him to maintain the position and the relations that attach to it.

When I proceeded to Portugal, the Lord Lieutenant was desirous that I should still retain the office of Secretary, at the same time declaring that, if I should not return within a certain time, a successor to me would be appointed. It was at that time uncertain whether I should ever return ; but when I did return, seeing that no successor had been appointed, I certainly considered my-

self entitled to the emoluments of the office. The Honorable gentleman has said, that if, on returning to England, I had found another party had been appointed in my room, I should not have received the emoluments ; and he infers from that, that, inasmuch as I had not performed the duties of the office, I ought not to receive the salary. Unquestionably, if another had been so appointed, I should not have received the salary ; but then I should not have had the establishment to maintain and keep up ; and since, whether absent or present, the expense of that establishment is defrayed by me, I have taken the salary.

I am aware that I have already trespassed too much upon the attention of the House ; but if I had ever supposed that I had not a fair title to the salary, I should never have received it. The example of my gallant friend I do most certainly approve, but for my own part I have not thought it right to return the emoluments I have received, because I would not have it supposed that I will shrink from the discussion of any act of mine in this House.

I can assure the House, however, that I shall in no future instance consent to hold my office in the event of my being appointed in the mean while to a military command.

Sir A. WELLESLEY then bowed to the Chair, and withdrew.

The CHANCELLOR OF THE EXCHEQUER begged the House to believe that, if blame was imputable in this matter in any quarter, it was not to the Right Hon. and gallant officer, but to His Majesty's Government, who, in compliance with the earnest instances of the Duke of Richmond and their own wishes, had determined that the Right Hon. and gallant officer should continue to retain his office of Chief Secretary, notwithstanding his temporary absence on a military command.

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*February 10, 1809.*

### COLONEL TUCKER.

In Committee on the conduct of the Duke of York,  
Colonel WARDLE having incidentally referred to Colonel Tucker,

*SIR A. WELLESLEY* said :

It affords me great pleasure, Sir, to bear my highest testimony to the military conduct of an officer whose name has been introduced into this debate ; I mean Colonel Tucker, now no more. That officer served under both Sir D. Baird and Sir S. Auchmuty

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with the highest commendation from each of them, as an officer highly deserving of His Majesty's favor. But I also feel it my duty to state, that, having witnessed Colonel Tucker's excellent and soldierlike conduct in the late expedition to Portugal, and his gallant services on two remarkable occasions more particularly, I deem it due from me, as well to his character as to the consolation of his family, that I should take this opportunity to bear my testimony to the merits of a most deserving officer.

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*February 13, 1809.*

#### ARMY COMMISSIONS.

Mrs. Hovenden, a witness before the Committee of Inquiry into the conduct of the Commander-in-Chief, having acknowledged that she had had negotiations with Mrs. Clarke in order to procure commissions (in which she did not succeed) for certain persons, whom, however, she declined to name,

*SIR A. WELLESLEY* said :

Sir, I most strongly recommend that the question be not persevered in. It must be recollected that what the witness speaks of occurred some years ago, when it was not an unusual thing for officers to have dealings with such persons as the witness, who were well known under the name of commission brokers. Since that time regulations have been introduced in the Army prohibiting such practices, and I really think it is now too late to rake up transactions which were generally considered quite allowable when they took place, as thereby much injury may be done to the character of many very respectable individuals, who really had little ground at the time for thinking they were acting wrongly. As to any solid ground for such a proceeding, there is none ; for the witness states that she did not succeed in her application, and therefore there is no pretence for saying that any injury has been done to the Service through abuse of patronage.

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*February 15, 1809.*

#### COLONEL SHAW.

Mr. WHITBREAD having called the attention of the House to the case of Major Covell, an officer who considered that, by a certain question addressed to Colonel Gordon in the course of an examination before a Committee of that

House, his reputation was likely to suffer through the misconception to which such question was calculated to give rise; and having read a letter from Major-Gen. Leith to Gen. Sir T. Musgrave, bearing high testimony to the merits and services of Major Covell,

*SIR A. WELLESLEY* said:

I hope I shall be permitted to offer a few words, in consequence of the statement contained in the letter which has just been read to the House by the Honorable gentleman. I have the honor, Sir, to know both Lieut.-Col. Shawe, therein alluded to, and Major Covell; and I beg to add, that I have a very high opinion of both those officers. But, Sir, notwithstanding the suggestions contained in that letter, I do not think it at all surprising that Lieut.-Col. Shawe, who in the year 1804 was a Lieut.-Colonel, should be appointed to a regiment in preference to Major Covell, who was not promoted to his majority until the year 1807. I myself, Sir, happen to have known Lieut.-Col. Shawe, in the 76th regiment, so long back as the year 1797; and I am fully prepared to say that, from his services in India with the 76th, that officer had strong claims to promotion in that particular regiment. Sir, it was under the conviction of the validity of such claims that I thought proper to recommend the appointment to H. R. H. the Commander in Chief, conceiving it probable that Lieut.-Col. Symes would have been allowed to sell his lieut.-colonelcy. The Commander in Chief, however, did not allow that sale; but when Col. Symes was moved to a Garrison Battalion, the appointment of Col. Shawe took place.

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*February 16, 1809.*

#### IRISH MILITIA.

Lieut.-Gen. the Right Hon. Sir A. WELLESLEY having moved the second reading of the Irish Militia Bill,

Colonel ODEL expressed a wish that the same bounty to recruits for the militia should be allowed in Ireland as in England.

*SIR A. WELLESLEY* said:

I cannot at all agree with the gallant officer, that it is necessary to give so high a bounty as 10 guineas to recruits in Ireland, as I happen to know they are easily procured on much cheaper terms, which, indeed, it is only reasonable to expect when we con-

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sider on what a very different footing the population there is from that of England. Besides, the gallant officer appears to have forgotten that the 10 guinea bounty is given in England, not in aid of the general recruiting of the militia, but as a help to the balloted men to procure substitutes. Many of the expenses which fall on the parishes in this country are in Ireland defrayed by the Treasury, such as the expense of raising recruits to supply the place of men who volunteer into the regular Army; and therefore the gallant officer has no ground to complain of such volunteering as a hardship on the Irish militia, or to use it as an argument for equalising the bounties. Indéed, it will be found that the Irish militia is more favorably dealt with than the English, for none of its casualties are filled by the ballot, as in this country, but the whole expense is borne by the Government. However, as cases may arise where it may be necessary to increase the present rate, it is my intention to bring forward another Bill, in which I shall propose to give power to the Lord Lieutenant of Ireland to advance from the Treasury rates of bounty as high as the English, if circumstances shall appear to him to render such a step necessary.

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*February 17, 1809.*

COLONEL TUCKER.

In Committee on the conduct of the Duke of York,

The Chairman apprised the Committee that he had received a letter from Lieut.-Col. Tucker, vindicating himself and his late brother, Major Tucker, from the imputation of having obtained any of the commissions in their respective promotions by undue influence or interest of any kind.

*SIR A. WELLESLEY* said:

I rise, Sir, for the purpose of paying a just tribute to the talents and services of the officer who addressed that letter to you. I knew him particularly well in Portugal, and I certainly esteemed him a very meritorious officer. I am the more willing to state thus much, because I have had many communications with the family of Col. Tucker; and I believe that, at the time that officer was about to be promoted, several applications were made to him, offering advances to him through money brokers, which offers he spurned with becoming contempt. I well know that Col. Tucker, in short, obtained his promotions properly, and all of them by brevet rank.

*February 21, 1809.*

### THE CONVENTION OF CINTRA.

Lord H. PETTY, after a speech strongly condemnatory of the foreign policy of the Government, moved the following resolutions :

‘ 1. That the Convention concluded at Cintra on the 30th August, 1808, and the Maritime Convention concluded off the Tagus on the 3rd September, 1808, appear to this House to have disappointed the hopes and expectations of the country.

‘ 2. That the causes and circumstances which immediately led to the conclusion of those Conventions appear to this House in a great measure to have arisen from the misconduct and neglect of His Majesty’s Ministers.’

Lord CASTLEREAGH vindicated the instructions given by His Majesty’s Government to the officers in command of the several British forces employed or liable to be employed in the recent campaign in Portugal ; the discretion exercised by those commanding officers in concluding the Convention and Armistice in question ; and the sanction which His Majesty’s Ministers had advised the Crown to extend to those proceedings.

General TABLETON condemned the Armistice and the Convention.

*SIR A. WELLESLEY* spoke in the following terms :

Before I proceed, Sir, to make any observations on what has fallen from the gallant officer who spoke last, I hope I may be allowed to advert to some particulars in the speech of the noble Lord who has moved the resolutions which you have read, Sir, to the House. What the noble Lord has said to-night related partly to His Majesty’s Government, and partly to the officers who had the conduct of the expedition to which those resolutions apply. For the plan and equipment the Government is answerable ; for the execution and the result the officers, in my opinion, are alone responsible. I have already recorded it as my opinion, that the operations in favor of Spain could only be carried on with any chance of success, in conjunction with, and by the consent of, the people and public authorities of that country. And therefore, Sir, it was necessary to come to a right understanding with the Juntas, before the commencement of the campaign. When I communicated upon the subject with the Juntas of Galicia and Asturias, it was conceived that the expulsion of the enemy from Portugal would be a valuable object to achieve, not only with a view to the naval station which this would procure for us, but also with a view to support the operations in Spain. When I arrived at Coruña, they had heard of the defeat of their army at Rio Seco ; and I then thought it my duty to offer to land my

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object, I will state that I did not intend to employ the corps under Gen. Acland in the field at all, but intended to send it to besiege Peniche. When Sir H. Burrard arrived, I no longer retained the command, but I recommended to him a plan of operation for the corps of Sir J. Moore ; and if that had been adopted, I should not assuredly this night have had the mortification to hear the noble Lord propose a resolution declaring that the expedition to Portugal has disappointed the hopes and expectations of the nation. The plan I proposed was, that Sir J. Moore should advance upon Santarem, with a view to intercept the enemy. I thought that the French would endeavour to cross the Tagus. That plan was feasible, not only in my opinion, but in the opinion of all the General officers who have since given their evidence at the Court of Inquiry ; and even of that Court itself, as the gallant officer will find if he will be so kind as to read the Report. Sir H. Burrard, however, thought proper to call that corps to the assistance of the army. It is not necessary for me now to enter into any discussion on that subject, but it is material to observe that this circumstance altered the whole system of our contemplated operations.

With respect, in the next place, to the change of Commanders : when I left England I never, Sir, expected to be continued in the command after large reinforcements should have arrived, to the exclusion of many valuable officers. But, at the same time, I do not think that the command ought to be changed in the middle of an expedition. In the course of a campaign the command may be changed without injury ; but these expeditions were not campaigns ; they were only operations. Now since, by the change of the commanders, in this case the whole system of contemplated operations had been altered, that circumstance necessarily governed me in my subsequent views. My original plan was to have engaged the enemy as near Lisbon as possible, and to have followed up the advantage which I undoubtedly expected, with the utmost expedition. By this means I trusted to have got to Lisbon nearly as soon as themselves ; and so to have prevented their crossing the Tagus. My opinion still is, that, if they had been followed closely after their defeat at Vimeiro on the 21st, they would not have been able to cross the Tagus. I was no party to the question, and have never come forward as the accuser of Sir H. Burrard, but, as I had conducted the previous operations, as I had commanded at Vimeiro, and held myself responsible for

that action, I do think that my opinion ought to have had some weight on that occasion, and also with the Court of Inquiry; especially as that opinion has been supported by all the General officers whom I had then under my command. It has been said indeed that a gallant General (Spencer), a friend of mine, has given a different opinion; but, notwithstanding the caution with which that gallant officer spoke, I conceive that a close examination of his evidence will shew that he was, in fact, of my opinion; and, in answer to one of the questions put to him, that opinion was strongly expressed. It was as to the principle upon which I stated that I had advanced from Mondego Bay; and certainly I could never understand how the Court of Inquiry, which approved of all that I had done, up to the close of the battle of Vimeiro, should have said in effect that these French troops, which had been constantly beaten in the field, ought not to be pursued when beaten. I would certainly have pushed them so hard after that battle, had I retained the command, that it would have been impossible for them to cross the Tagus. But there is one part of the Report of the Board, with respect to the question of advancing after the action of the 21st, to which I must refer. The passage is this: 'This very circumstance of a superior cavalry retarding our advance would allow the enemy's infantry, without any degree of risk, to continue their retreat in the most rapid manner, till they should arrive at any given and advantageous point of rallying and formation; nor did Sir A. Wellesley, on the 17th August, when the enemy had not half the cavalry as on the 21st, pursue a more inconsiderable and beaten army with any marked advantage; for he says (*Gazette Extraordinary*), "The enemy retired with the utmost regularity and the greatest celerity; and notwithstanding the rapid advance of the British infantry, the want of a sufficient body of cavalry was the cause of his suffering but little loss in the plain." And again, "He succeeded in effecting his retreat in good order, owing principally to my want of cavalry."

Here, Sir, in the first place, although I mean to impute no blame to the Court of Inquiry, it is clear that they must have thought me at least very inconsistent, if not very incorrect, in my statement: now I apprehend I was neither incorrect nor inconsistent. The fact is, that there were two parts of the action of the 17th, the one in the mountains, and the other in the plain. In that part of the action which took place in the plain, the enemy

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had retired in good order. After the battle of the 21st, they retired in great disorder. And their good order of retreat in the one case, and their disorder in the other, make all the difference. Although it might not be proper, without an adequate force of cavalry, to pursue the enemy closely, when they retired in good order on the 17th, it by no means follows that they ought not to be pursued on the 21st, when they had been completely beaten, and had retreated in great disorder. The disorderly retreat of the enemy on the 21st was the ground of my opinion that they ought to be hard pushed; and, if they had been vigorously followed up on that day, I am satisfied in my own mind that there would have been no reason for concluding the Convention which has given so much offence. Now, as to this Convention, it is rather hard to charge it upon the Government, when, if a certain plan of operations had been followed, as proposed, the reason for it would not have existed. The necessity for concluding the Convention has been ascribed to the want of artillery, of horses, of equipment of various kinds, but I am bound to state that, in considering the propriety of concluding an Armistice, and afterwards the Convention, these circumstances were never taken into account by me, nor by any of the officers concerned in the negotiation upon that subject. The only question at all connected with the state of the army in point of equipment was, as to the difficulty of supplying it with provisions, when the whole of the troops should be collected.

The next point to which it is necessary that I should now advert is, that which respects this Armistice and Convention. Here it is proper to consider the situation of the two armies at the time when the Armistice was concluded. The French, after the battle of Vimeiro, had occupied a strong position, in which they would have been able to stop the progress of a superior force for three or four days. The advancing army, after being occupied for three or four days in dislodging them from that position, would have, further, to drive them from two or three other lines which lay between the main position and Lisbon. During the whole of this time the French might have been employed in preparations for the passage of the Tagus, which it would have been impossible to prevent. The Honorable and gallant General (Tarleton) has adverted to the situation of Lord Cornwallis in the American war. Without entering into any comparison between General Junot and Lord Cornwallis, I have only to observe, that the situations

in which they respectively stood were very different. Lord Cornwallis was shut up in a town and actually besieged; but General Junot, instead of this, might be said to have the military possession of the country. Then the Honorable General asks, 'How was it possible to cross a rapid river from 4 to 6 miles broad, in such a situation?' Why, Sir, that is a matter of opinion; and it was the opinion of all the officers who were there at the time, and all the members of the Board of Inquiry, that it was impossible to prevent their crossing the Tagus. Sir, I have heard that it is the opinion of a high military authority (the Earl of Moira) that, if the French had been driven to cross the Tagus, they would have been reduced to extreme distress. My answer to that opinion is, in the first place, that it was the duty of General Junot to have suffered that distress, however severe, rather than have surrendered at discretion; and there is no reason to believe he would not have done his duty in that respect. But, in the second place, I do not allow that the French would have been reduced to this extreme distress. General Loison had crossed the Tagus, quelled the insurrection in Alentejo, returned again by repassing the Tagus, and by this means had removed the difficulties which the French might otherwise have experienced in the retreat to Elvas. But it has been said that Junot would have been obliged to surrender at last. This is true; but at what time of the year? After our army should have got possession of the forts of the Tagus it would have been necessary to put it in a condition of equipment fitted for reducing the fort of Elvas by a regular siege; and for this a considerable length of time would have been required. Now I will affirm that the British army would not have been in a condition to reduce the fort till the beginning of December, and then it might be thought advisable to give the French army the same, or nearly the same terms, as those which we did actually grant them in August. Considering the relative situations of the two armies, therefore, I did not think it disgraceful to allow the French to embark. I thought the gaining of time, also, an important object with a view to the operations in Spain. I was aware that the presence of a British army there might be of the greatest consequence, in order to give the Spaniards strength in their own union, and in order to prevent their being cut off in detail. The same noble Lord, to whom I have already alluded as a high military authority, has said that

the officers in the command of the expedition ought to have attended more to the great advantages which in the then situation of affairs would have resulted from compelling the enemy to lay down their arms and to surrender at discretion. But no such object had been prescribed in the instructions to the officers commanding the British forces. Undoubtedly, as it is the duty of every officer to endeavor to oblige a hostile force opposed to him to lay down their arms, there was no need of such instructions. But the question is, whether with a view to prosecute that object we ought to have given up other material points in time and circumstances, and to have abandoned the advantages we had gained. It would not be as honorable to the British arms, if, after pursuing the enemy into Alentejo, and the consequent loss of time and blood, the same, or nearly as good terms were to be granted to the enemy. If it was not disgraceful to allow the French to evacuate Cairo and Alexandria in Egypt, the Convention for the evacuation of Portugal cannot be disgraceful. I will allow that the respective circumstances of the two cases were different, as was also the state of Europe at the two periods, though I contend that the result, in both instances, was equally free from disgrace.

There is one topic more to which I am anxious to advert, with regard to the Court of Inquiry. I perfectly agree with the noble Lord in the wish that this may be the last Court of that kind which shall ever assemble. It was not a Court before which any officer would desire to be tried. A general impression has gone abroad that this Court was instituted by my noble friend out of friendship to me. It is rather hard upon me to be subjected to such a reflection; because, if I had been tried in any other manner, I must have been acquitted. As far as I am concerned, I must say, without meaning to blame any of the members, that this Court has been to me a source of injustice; and I do therefore hope it will be the last Court of the kind to which the investigation of the conduct of officers shall be submitted. As to the letter sent by my noble friend, desiring my superior officers to consult me particularly, had I been aware of the existence of such a document, I should have felt my situation very uncomfortable. But I must say, that, from the first hour these officers landed, nay, even before they landed, I clearly perceived that I was not in possession of their confidence. I did, however, everything I could do forward their objects, though I differed from them in opinion.

This is what I consider to be the great distinction between military and civil inferior situations. If, in a civil office, the inferior differ materially from the superior, he ought to resign ; but in military appointments, it is the duty of the inferior officer to assist his commander in the mode in which that commander may deem his services most advantageous. If I thought myself capable of giving advice, and of suggesting plans, it was my duty to endeavor to carry them into execution. But, if the commander did not think proper to listen to my advice or suggestions, it was then my duty to assist my superior in the way which to that superior might appear eligible. This, Sir, is the principle which, in my opinion, ought to regulate the conduct of military officers. It is a principle on which, on that occasion, as I have ever before done, I acted ; and on it I ever will act.

I may be allowed, Sir, to notice some reports which I understand to have got into circulation relative to my connexion with the Convention. I am anxious that there should exist no misapprehension on the subject ; and since it has been stated in some quarters that I had nothing whatever to do with the Convention, in others that I had even protested against it, I would beg to refer Honorable gentlemen to the proceedings of the Board of Inquiry for an explanation of my sentiments on that transaction. The letter, No. 152, written by me to my noble friend, and dated October 6, 1808,\* contains my opinions, in detail, upon the whole subject ; opinions, I beg to add, which I still entertain.

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*February 22, 1809.*

### CONDUCT OF THE DUKE OF YORK.

*SIR A. WELLESLEY, K.B.*, attending in his place, was examined, as follows, before the Committee of the whole House, on the conduct of H. R. H. the Duke of York, as Commander-in-Chief.

*Question.* Do you recollect the state in which the Army was when His Royal Highness took the command of it, in regard particularly to the mode in which the promotions and commissions in the Army were carried on ?

*Answer.* With respect to the manner of conducting promotions

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\* See Gurwood's Dispatches.

in the Army, I cannot say that I knew much about it before the present Commander-in-Chief was appointed: I rather believe, however, from all I have heard, that it was very irregularly conducted; that a regulation which existed at that time, that no officer should be made captain till he had served two years, was frequently broken through, and that much injustice was done to many old officers in the Army. I know that, since His Royal Highness has had the command of the Army, the regulations framed by him for managing the promotion of the Army have been strictly adhered to, and that the mode in which the promotion is conducted has given general satisfaction. I must also state that, besides my knowledge as a general officer in the Army, of the mode in which the promotions of the Army are conducted, I have some knowledge of it from my official situation; and having had frequently to apply to His Royal Highness for promotion for different officers, in consequence of applications which have been made to me, I have never found, in any one instance, that His Royal Highness has departed from the regulations laid down for the promotion of the Army, or that he has done injustice to any individual. I must also state, that in applying to His Royal Highness, which I frequently do for ensigncies, I have found His Royal Highness invariably ready to attend to my applications; and I also know that many persons have got commissions from His Royal Highness by applying direct to him, without coming through me. In respect to the state of the Army, I can say, from my own knowledge, as having been a lieutenant-colonel in the Army when His Royal Highness was appointed to command it, and having a very intimate knowledge of it since, that it is materially improved in every respect; that the discipline of the soldiers is improved; that, owing to the establishments formed under the directions of His Royal Highness, the officers are improved in knowledge; that the staff of the Army is much better than it was, and much more complete than it was; that the cavalry is improved; that the officers of the cavalry are much better than they were; that the Army is more complete in officers; that the system of subordination among the officers of the Army is much better than it was; and that the whole system of the management of the clothing of the Army, the interior economy of the regiments, and everything that relates to the military discipline of the soldiers, and the military efficiency of the Army, has been greatly

improved since His Royal Highness was appointed Commander-in-Chief.

*Question.* Do you consider the improvement you have specified to be owing to the personal superintendence and personal exertions of H.R.H. the Commander-in-Chief?

*Answer.* The improvements to which I have adverted have been owing to the regulations of His Royal Highness, and to his personal superintendence and personal exertions over the General officers and others who were to see these regulations carried into execution.

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*February 23, 1809.*

### CHARGES AGAINST THE MARQUIS WELLESLEY.

Mr. R. DUNDAS moved for a renewal of the Committee which had sat in the previous Session on the East India Company's affairs.

Mr. CREEVEY opposed the motion, principally on the ground that the former Committee contained none but the personal friends and political associates of the Marquis Wellesley, and recommended the selection of persons unconnected with Indian affairs.

*SIR A. WELLESLEY* spoke in the following terms:

Sir, In reference to the objections which have been urged to this motion by the last speaker, I must own I think it rather an odd way of selecting a Committee, to fix upon those persons who are ignorant of the business to come before that Committee, to the exclusion of those who are informed upon the subject. The Honorable gentleman has objected to myself in a pointed, I might almost say in a personal manner; but I will appeal to that Honorable gentleman as to the line of conduct pursued by me in the course of the proceedings of the late Committee. I ask him whether he has anything to urge in objection to that line on which to ground his exception to me as a member of it, in the event of its renewal? I beg leave to observe, that that exception cannot be owing to any material diffidence on his part as to the sincerity of my views with respect to East India politics; for I have divided with that Honorable gentleman on a question of no trifling importance that came before that Committee, and I do assure that Honorable gentleman that of this he may be sure, that whenever the conduct of my noble relative shall come before the Committee,

the fullest and most rigid inquiry into that conduct shall at all times have my most cordial support. Indeed, I never shall shrink from inquiry not only into that conduct, but into all that either my noble relative, myself, or the Marquis Cornwallis, have done even from a period so remote as the year 1782. That our East India settlements have been most considerably extended, I do not take to constitute in itself a serious accusation; and I am fully prepared to prove to the Committee, whenever the House will go into it, that this extension of our dominions has not been owing, as it has been assumed, to any aggression on our part; neither has it been undertaken with any view of ambitious aggrandizement. Whether and how far these acquisitions are to be followed up will be a question of a very different nature. It is certain that war is in no country so expensive as in the East Indies. Since the peace of the Deccan, concluded by me in 1803, there has not been in that province the slightest symptom of a tendency to hostilities. With respect to the 'Exposition,' I think that every paper relating to it ought to be produced. I wish the 'Exposition' to have fair play, and it should be the intention of the Committee to give the details of all matters comprised in that 'Exposition.' I will only add, with respect to the propriety of my own appointment, that, if the House should think proper to add my name to that Committee, I never shall oppose any question with respect to India, and I shall in every respect discharge my duty with impartiality, and to the best of my abilities.

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*February 27, 1809.*

#### TELEGRAPHS IN IRELAND.

Mr. MARTIN objected to several items of increased expenditure in the Army and Ordnance estimates, particularly to a sum of 40,000*l.* for telegraphs in Ireland.

*SIR A. WELLESLEY* said:

Sir, I beg to explain the charges relating to Ireland, to which the Honorable member has just stated his objections. It is true, as the Honorable member says, that the atmosphere in Ireland is not so well suited to telegraphic communication as that of other countries which might be named, but the necessity that exists, in a time of war especially, for the most rapid communication that can

be procured, will be, I conceive, a sufficient ground for the conduct of the Government in forming a telegraph establishment. Success being somewhat doubtful, the experiment was begun on a small scale by the construction of signal-posts on the west coast, and there, I must confess, the plan did not answer. Still it did not appear reasonable to abandon the scheme altogether on the first appearance of failure, and another plan was tried, which I am happy to be able to say is, at the present day, in full and successful operation. This was the formation of a line of telegraphs from Galway to Dublin, passing through Athlone, and at Athlone branching off into two other lines, one to Cork and the other to Limerick; so that from the seat of Government there now exists a means of very rapid communication with the shipping in the Cove of Cork, as well as with the whole of the west of Ireland from Galway to Limerick.

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*February 28, 1809.*

#### OPERATIONS IN PORTUGAL.

In Committee of Supply, Mr. A. COOPER having presented the Ordnance estimates,

General TARLETON entered into a review of the military operations of the last twelve months. He wished to know why the expedition against the French West India Islands had been so long delayed, thereby giving time for the enemy to strengthen themselves; and he censured the Government for exposing Sir A. Wellesley's army to great danger by neglecting to provide a strong body of cavalry. He also blamed the Armistice and Convention, and thought that, if Sir A. Wellesley had opposed them, they would never have been carried into effect. The Government also were highly censurable for their repeated supercessions of commanding officers in these expeditions.

**SIR A. WELLESLEY** spoke in the following terms:

Sir, the gallant General, in the course of his rather discursive speech, has bestowed his censure in a very free, but, I hope to show, also in a very groundless manner.

As to his first question, why the expedition against the French in the West Indies was not sooner sent out, I hope it will be sufficient, both for the gallant General and the House, that I should say that its earlier arrival would have been worse than useless, for, as must be well known, no military operations can be undertaken there until after the cessation of the rains, which last from June to



October. Therefore, had the force been sent out earlier than it was, the troops must have passed the time inactive, and, when the season of action arrived, very probably they would have been found quite unfit to take the field. This consideration, to say nothing of the loss of many valuable lives which must also have occurred, is surely a sufficient reason for the course that has been pursued.

Next, as to the campaign in Portugal, I have this reason to give why the Government did not think it necessary that a large body of cavalry should form part of the army they intrusted to me. The expedition was originally intended for an attack upon the forts of the Tagus, in which, as the gallant General must very well know, cavalry would be of but little use. This intention, I own, was abandoned, but it was abandoned by myself, upon my own responsibility, when I became personally acquainted with the real state of affairs in the country where I was to act. The Board of Inquiry have not thought my conduct censurable in that respect, yet I feel that I owe it to this House, when so directly called upon as I have been by the gallant General, to give the reasons why I ventured on the step of taking the field without cavalry.

I have said that I did not at first contemplate operations in which the assistance of cavalry would be of much importance; and I must add, that, when I found it necessary to change my plan, I imagined that I had good reason for relying on being joined by a considerable body of Portuguese cavalry, but in that expectation I was disappointed. However, I entirely deny that the army under my command was ever in such danger as the gallant General has supposed. I well knew that the French could not bring more than half of their army against me, as part of it was on the other side of the Tagus, a very considerable proportion of which must, in any event, be left for the defence of Lisbon and the neighbouring forts. I am ready to admit that at the battle of Vimeiro the enemy's cavalry greatly outnumbered that under my command; but even if they could have brought up twice the number they did, and had forced the front line, that would not have turned the fate of the action, for then we should have had still five brigades to resist them, half of which, as it was, never fired a shot during the whole action. Therefore I think that the gallant General must allow that the danger in which he has placed us is that of his own creation.

As to the gallant General's supposition that my influence, had I chosen to exert it, would have been sufficient to prevent the Armistice and the Convention, that also is a most unfounded idea. I must repeat what I said before the Board of Inquiry, that no sooner had Sir H. Burrard and Sir H. Dalrymple arrived than I perceived that I did not possess the confidence of either of those officers. I felt it, however, to be my duty to recommend to the former General two distinct measures, which, I am still convinced, would, if adopted, have been attended with the most important advantages; but Sir H. Burrard, I presume, took a different view, for he did not act upon my advice. I approved of the principle of the Armistice and Convention, but I did not approve of either the terms or the tone of the Convention, conceiving that an army which had been so completely defeated in the field as the French had been had no claim to such favorable conditions as they obtained. Sir H. Dalrymple, however, decided on the terms, and it did not become me that I should set myself in opposition to my commanding officer; I could not do so as a gentleman, and I held myself strictly prohibited from doing so as an officer.

As regards His Majesty's Ministers, I must maintain that the gallant General has blamed them for matters for which they are in no way responsible. How can they be held answerable for the measures pursued by the different Juntas and other governing bodies in Spain? No gentleman who hears me can seriously maintain such a position. Then what ground can there be for censuring them, because the Spanish armies did not hold their ground, as they had promised to do, until assistance could be sent to them? And I am sure the gallant General must as readily allow that they are not answerable for the acts of the Generals whom they employ; for every General, of necessity, acts upon his own responsibility.

The gallant General has also commented on the line of retreat adopted by Sir J. Moore, and has given his opinion that a retreat on Portugal would have been preferable. To this I can only say that I am not acquainted with Sir J. Moore's reason for preferring a retreat on Coruña; but I think we cannot be far wrong in presuming that that gallant and most skilful officer had some very good reason. Generally speaking, a short line of retreat must be preferable to a long one; but I think it must be greatly a matter of opinion which should have been preferred in the present case,

and the soundest opinion, I consider, was most likely to be arrived at by the party most immediately concerned.

Mr. WHITBREAD thought Sir H. Burrard hardly dealt with by the gallant General : he had been twice accused in that House of rejecting advice which he ought to have followed.

*SIR A. WELLESLEY* said :

Sir, I beg to state most distinctly, that I never did accuse Sir H. Burrard, and I never will. From Sir Harry joining the army at the critical time he did, I certainly conceived it to be my duty to offer such advice as I thought might be of service ; but Sir H. Burrard chose to act upon the opinion he had himself formed, which, as commanding officer, he had an undoubted right to do. It would have been a gross breach of discipline had I done otherwise than submit at once to his decision ; and I beg to assure the House that I never should have mentioned a word about the advice I had offered, had not the gallant General stated his belief, that, if I had intimated the slightest opinion to the contrary, the other Generals would not have signed the Convention.

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*March 28, 1809.*

### IRISH INLAND NAVIGATION.

In Committee on the Act of the 40th of His present Majesty, for the further extension of Inland Navigation in Ireland,

*SIR A. WELLESLEY* said :

Sir, The benefits which have been experienced from the late extension of inland navigation in Ireland, in consequence of the Act of the Irish Parliament, to which I desire to call the attention of the Committee, are so evident and striking to every one who is at all acquainted with the progress of internal improvement in Ireland within the last seven or eight years, that it must be unnecessary for me now to expatiate on them. I will, however, venture to assert, that no other species of internal improvement, nor any other medium through which public bounty may be bestowed, can produce such marked and decided advantages as have arisen from the operation of the Act to which I have referred. The increase of agriculture in Ireland, the prime object of inland navigation, is a benefit not merely bestowed on that country, in the spirit of

liberality, but a measure of sound and necessary policy for this country to adopt. It is a measure, in fine, upon which, if any man can heretofore have entertained any doubt about it, the present political and commercial state of Europe and America would furnish sufficient arguments to bring conviction to his mind. It is an uncontroverted fact, that the agriculture of Great Britain has not, for many years past, been equal to the production of grain sufficient for our own consumption; and that we have, during all that time, most lavishly and improvidently expended millions in improving and extending the agriculture of foreign and hostile nations, by purchasing their corn, while we suffer the fertile lands of Ireland to remain untilled for want of a cheap and easy system of conveyance for their produce to market. It is also admitted that the deficiency of capital in Ireland is so great as to render it impracticable to obtain an extensive inland navigation, without considerable Parliamentary aids. Now, Sir, if I am well founded in these points, the only thing that remains to be considered is, in what manner, and under what regulations, these bounties should be administered, and how the system which has proved, already, so beneficial, shall be farther extended. I profess myself, Sir, to be unacquainted with the details of this business, and, indeed, the other necessary avocations of any man holding the office I have the honor to fill, would render it completely impracticable for him to enter into the inquiries necessary to form a correct judgment on matters of this nature. Great abuses have, no doubt, heretofore existed in the expenditure of public money for such undertakings in Ireland; but I am satisfied that there is no national purpose for which public money could be expended with so much positive advantage, if under proper management and control. A sum of 500,000*l.* was voted in the last Session of the Irish Parliament for this purpose, and a Board of five Commissioners was appointed to investigate the plans proposed, and for the disbursement of sums for inland navigation. This Board has been indefatigable in their exertions. I therefore conceive myself justified in bringing forward this measure for continuing the present Board of Directors of Inland Navigation, whose duty it will be to examine and inquire into the different lines of navigation that are already or may hereafter be proposed for, and to report their opinions on their respective advantages, in order to guide the judgment of His Majesty's Government as to which of those lines they ought to recom-

mend to Parliament to be carried into execution by public aid. I now, therefore, move, 'That leave be given to bring in a Bill for the farther extension of Inland Navigation in Ireland.'

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THANKS OF PARLIAMENT—TALAVERA.

HOUSE OF LORDS. *January 26, 1810.*

The EARL OF LIVERPOOL moved,

'That the Thanks of this House be given to Lieut.-Gen. Lord Viscount Wellington, for the distinguished ability displayed by him on the 27th and 28th July last in the glorious battle of Talavera, which terminated in the signal defeat of the forces of the enemy.'

After some remarks by Earl GREY and the Earl of LAUDERDALE, the motion was put and carried.

The following Protest was entered:

'*Dissentient.* 1st. Because in the battle of Talavera, though eminently distinguished by those splendid proofs of discipline and valor which His Majesty's troops have never failed to display, we cannot recognise those unequivocal characteristics of victory which can alone form an adequate title to the Thanks of the House. On the contrary, that the British army appears to have been improvidently led into a situation in which the repulse of the enemy, effected with a great loss, produced neither a security from a subsequent attack nor relief for the distress under which our brave troops were suffering, and was immediately followed by the necessity of a precipitate retreat, whereby our wounded were left to fall into the hands of the enemy.

'2ndly. Because by voting the Thanks of this House on such an occasion we diminish the value of the most honorable reward we have it in our power to confer; whilst we indirectly sanction the propriety of the elevation to the honors of the Peerage with which His Majesty, without inquiry, was advised to mark his approbation of the Commander of His army in Spain, at a time when His Ministers were informed of the unfortunate consequences which might be expected to follow, and in fact did follow, that dear-bought success.

'GREY,

'LAUDERDALE.'

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*May 2, 1810.*

The LORD CHANCELLOR acquainted the House that he had received the following letter from Lieut.-Gen. Lord Viscount Wellington:

*Lieut.-Gen. Lord Viscount Wellington, K.B., to the Right Hon. the Lord Chancellor.*

MY LORD,

Viseu, March 6, 1810.

I have had the honor of receiving your Lordship's letter, in which you enclosed the Resolutions of the House of Lords of the 26th January, conveying the approbation of their Lordships of the

conduct of the General officers, officers, and troops under my command, and of myself, in the battle fought at Talavera on the 27th and 28th July last.

I have communicated to the General officers, officers, and troops, these testimonies of their Lordships' approbation; and I beg leave to assure your Lordship that I have received the honor which their Lordships have conferred upon me, and the army under my command, with a just sense of its high value and importance, with gratitude for the favor with which their Lordships have viewed our efforts in His Majesty's service, and a desire to merit the continuance of their Lordships' approbation by a zealous discharge of my duty.

I request your Lordship to accept my thanks for the handsome terms in which you have conveyed the pleasure of the House of Lords.

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HOUSE OF COMMONS. *February 1, 1810.*

THE CHANCELLOR OF THE EXCHEQUER, after describing the principal events and operations connected with the battle of Talavera, which he described as a most signal victory 'gained over the veterans of France,' moved,

'That the Thanks of this House be given to Lord Viscount Wellington,' &c. (see HOUSE OF LORDS).

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*March 30, 1810.*

THE SPEAKER acquainted the House that he had received the following letter from Lieut.-Gen. the Right Hon. Lord Viscount Wellington:

*Lieut.-Gen. Lord Viscount Wellington, K.B., to the Right Hon. the Speaker of the House of Commons.*

SIR,

Viscu, March 6, 1810.

I have had the honor of receiving your letter of the 2nd of February, in which you enclosed the Resolutions of the House of Commons of the 1st of February, expressing the approbation of the House of my conduct, and of that of the General officers, officers, and troops composing the army under my command, in the battle fought at Talavera on the 27th and 28th of July last.

In obedience to the orders of the House, I have communicated to the General officers, officers, and troops, this honorable testimony of the approbation of the House; and I beg leave to adopt this mode of expressing to the House the high sense which I entertain of the honor which they have conferred upon me, and upon the

army under my command, and to assure them that I shall endeavor to merit their approbation by a zealous discharge of my duty.

I must likewise request you, Sir, to accept my thanks for the kindness towards me which you have manifested in the manner in which you have conveyed to me the pleasure of the House ; a kindness of which I had already received repeated proofs during the period that I had the honor of being a member of the House of Commons.

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MESSAGE FROM HIS MAJESTY.

ANNUITY TO LORD VISCOUNT WELLINGTON.

HOUSE OF LORDS. *February 8, 1810.*

The Earl of LIVERPOOL acquainted the House that he had a Message from His Majesty under His Royal Sign Manual, which His Majesty had commanded him to deliver to their Lordships ; and the same was read by the Lord Chancellor, as follows :

‘ GEORGE R.

‘ His Majesty, being desirous of conferring a signal mark of his favor and approbation on Lieut. Gen. Arthur Lord Viscount Wellington, K.B., in consequence of the eminent services rendered by him in the brilliant and decisive victory obtained by the troops under his command against a superior French force at Talavera on the 29th July, 1809, and of the valor and skill displayed by him on that occasion, recommends it to the House of Lords to concur in enabling His Majesty to make provision for securing to the said Lieut. Gen. Arthur Lord Viscount Wellington, and the two next succeeding heirs on whom the titles of Viscount Wellington, of Talavera, and Wellington, in the county of Somerset, and of Baron Douro, of Wellesley, in the said county, shall descend, a net annuity of 2000*l.*, in such manner as shall be thought most effectual for the benefit of the said Lord Viscount Wellington and his family.

‘ G. R.’

The Message was ordered to be taken into consideration on the 16th instant.

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HOUSE OF COMMONS. *February 8, 1810.*

The CHANCELLOR OF THE EXCHEQUER acquainted the House that he had a Message from His Majesty ; and the same was read by the Speaker (*see HOUSE OF LORDS*).

The Message was ordered to be taken into consideration on the 16th instant.

*February 16, 1810.*

In Committee on His Majesty's Message, relative to the grant of an annuity of 2000*l.* to Lord Viscount Wellington,

The CHANCELLOR OF THE EXCHEQUER recapitulated the eminent military services which were the grounds of the motion he had to submit to the House. The amount of the grant was in strict conformity with the precedents of the provision made in the several cases of Lord Duncan, Sir Ralph Abercromby, Lord Lake, and Lord Collingwood, respectively. He then moved the following Resolution :

‘ That it is the opinion of the Committee that a pension of 2000*l.* per annum be settled on the Right Hon. Arthur Lord Viscount Wellington, and on the two next heirs to his title in succession,’ &c.

The Committee divided : Ayes, 212 ; Noes, 105. Majority in favour of the grant, 107.

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*February 26, 1810.*

Lord Wellington's Annuity Bill was read a second time, after a division. For the second reading, 106 ; against it, 36. Majority, 70.

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## THANKS OF PARLIAMENT—PORTUGAL.

HOUSE OF LORDS. *April 26, 1811.*

The Earl of LIVERPOOL, in moving the Thanks of the House to Lieut. Gen. Lord Viscount Wellington, for his services recently rendered in Portugal, by which that country had been cleared of the French forces, entered into a rapid review of all the circumstances of the campaign, and dwelt upon the wisdom of the original plan of operations, the cool and steady discretion with which it was prudently carried into execution in all its parts, and the final and happy result of the whole, in the deliverance of the country from the presence and oppression of the enemy. The noble Earl concluded by moving,

‘ That the Thanks of this House be given to Lieut. Gen. Lord Viscount Wellington, for the consummate ability, fortitude, and perseverance, displayed by him in the command of the British and Portuguese Forces, by which the kingdom of Portugal has been successfully defended, and the most signal and important services rendered to his King and Country.’

Earl GREY seconded the motion, which was unanimously agreed to.

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*June 18, 1811.*

The LORD CHANCELLOR acquainted the House that he had received the following letter from Lieut. Gen. Lord Viscount Wellington :



*Lieut. Gen. Lord Viscount Wellington, K.B., to the Right Hon. the Lord Chancellor.*

MY LORD,

Elvas, May 25, 1811.

I have had the honor of receiving your Lordship's letter of the 29th April, in which your Lordship enclosed the Resolutions of the House of Lords of the 26th April, expressing the approbation of their Lordships of the conduct of the army under my command during the late campaign in Portugal, which I have communicated, according to their Lordships' desire, to the allied British and Portuguese army.

The approbation of the House of Lords must be highly gratifying to the General officers and officers by whose able assistance and support, and to the troops by whose good conduct, discipline, and bravery (under Providence), the service has been performed which their Lordships have been pleased to distinguish in this manner. And I request your Lordship to convey to the House of Lords the expression of my gratitude for the favor with which they have been pleased to view my endeavors to serve His Majesty, and for the high honor which their Lordships have conferred upon me.

I likewise request your Lordship to accept my acknowledgments for the handsome terms in which your Lordship has conveyed to me the sentiments of the House of Lords.

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HOUSE OF COMMONS. April 26, 1811.

On the Motion of the CHANCELLOR OF THE EXCHEQUER, who described the course and objects of the system which Lord Wellington had adopted in Portugal, it was resolved,

'That the Thanks of this House be given to Lieut.-Gen. Lord Viscount Wellington,' &c. (see HOUSE OF LORDS).

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June 15, 1811.

The SPEAKER acquainted the House that he had received the following letter from Lieut.-Gen. Lord Viscount Wellington :

*Lieut.-Gen. Lord Viscount Wellington, K.B., to the Right Hon. the Speaker of the House of Commons.*

SIR,

Elvas, May 25, 1811.

I have had the honor of receiving your letter of the 26th April, in which you have enclosed the Resolutions of the House of Commons of that day, conveying the approbation of the House of

the conduct of the army under my command in Portugal during the late campaign, which I have communicated to the allied British and Portuguese army.

I attribute the result of the operations of which the House has been pleased to approve, under Divine Providence, to the support and assistance which I have invariably received from the General and other officers, and to the good conduct, the discipline, and bravery of the troops; and it must be highly gratifying to them to find that their services have been deemed worthy of that distinction, of which all are ambitious, the approbation of the House of Commons.

The favor with which the House of Commons have received my services, and the honor by which they have been pleased to distinguish them, have made an indelible impression upon me; and I hope, by the continuance of my zealous endeavors to serve His Majesty according to the best of my judgment, to prove my gratitude to the House for their favors.

I beg that you, Sir, will accept my acknowledgments for the handsome terms in which you have again conveyed to me the sense of the House of Commons.

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#### THANKS OF PARLIAMENT—CIUDAD RODRIGO.

HOUSE OF LORDS. *February 10, 1812.*

The Earl of LIVERPOOL, in prefacing a motion for a Vote of Thanks to Lord Viscount Wellington for the capture of Ciudad Rodrigo, described to their Lordships the position and strength of that fortress; its investment by the French on the 10th June, 1810; its siege by, and its capitulation to them, on the 11th July, 1810; its subsequent investment by the English army under Lord Wellington's command, on the 8th January, 1812; and its capture by storm on the 19th of the same month. Lord Liverpool, having dwelt on the rapidity of these brilliant operations, commenced and triumphantly completed in the depth of winter, and congratulated their Lordships and the country at large on so signal an evidence of the superiority of the British artillery and engineers, concluded by moving,

'That the Thanks of this House be given to Gen. Lord Viscount Wellington, for the skill, decision, indefatigable exertion, and consummate judgment manifested by him in the siege of Ciudad Rodrigo, by which that important fortress has been wrested from the enemy in the short space of 11 days.'

The motion was instantly and unanimously agreed to.

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*May 13, 1812.*

The LORD CHANCELLOR acquainted the House that he had received the following letter from Gen. the Earl of Wellington :

*Gen. the Earl of Wellington, K.B., to the Right Hon. Lord Chancellor.*

MY LORD,

Fuente Guinaldo, April 29, 1812. .

I have had the honor of receiving your Lordship's letter of the 15th February, in which you enclosed the Resolutions of the House of Lords of the 10th February, expressing the approbation of their Lordships of the conduct of the General officers, officers, and troops under my command, in the siege and assault of Ciudad Rodrigo.

I have communicated to the General officers, officers, and troops, the honorable testimonies of the approbation of their Lordships.

I request your Lordship to convey to the House of Lords my acknowledgments for the high honor which they have conferred upon me ; to assure their Lordships of my gratitude for their repeated favors, and of my desire to prove myself not unworthy of their Lordships' notice by my continued exertions in His Majesty's service.

I beg your Lordship will accept my thanks for the handsome terms in which you have conveyed to me the sense of the House of Lords.

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HOUSE OF COMMONS.    *February 10, 1812.*

On the motion of the CHANCELLOR OF THE EXCHEQUER it was resolved,  
'That the Thanks of this House be given to Gen. Lord Viscount Wellington,' &c. (*see HOUSE OF LORDS*).

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*May 13, 1812.*

The SPEAKER acquainted the House that he had received the following letter from Gen. the Earl of Wellington.

(The letter in similar terms to that to the Lord Chancellor.)

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## MESSAGE FROM H. R. H. THE PRINCE REGENT.

FURTHER ANNUITY TO LORD VISCOUNT  
WELLINGTON.HOUSE OF LORDS. *February 18, 1812.*

The Earl of LIVERPOOL acquainted the House that he had a Message from H. R. H. the Prince Regent, in the name and on the behalf of His Majesty, under His Royal Sign Manual; and the same was read by the Lord Chancellor, as follows:

‘GEORGE P. R.

‘The Prince Regent, in the name and on the behalf of His Majesty, having taken into his royal consideration the eminent and signal services performed by Gen. Lord Viscount Wellington, in the course of a long series of distinguished exploits in the campaigns of Spain and Portugal, and being desirous to mark the sense he entertains of services so honorable to the British arms, and so eminently beneficial to the interests of the nation, has conferred, in the name and on the behalf of His Majesty, upon Gen. Lord Viscount Wellington, and the heirs male of his body, the rank and dignity of an Earl of the United Kingdom, by the name, style, and title of Earl of Wellington.

‘The Prince Regent, further desirous of granting to the Earl of Wellington a net annuity of 2000*l.*, in addition to the annuity already granted by Parliament, and subject to the same limitations imposed in that grant, recommends to the House of Lords to concur in enabling His Royal Highness, in the name and on the behalf of His Majesty, to grant and settle such annuity, and to make such further provision as aforesaid as may be thought most effectual for the benefit of Gen. the Earl of Wellington and his family.

G. P. R.’

The Earl of LIVERPOOL dwelt at length on the rare and distinguished character of the Earl of Wellington’s services, and moved an Address to the Prince Regent in the usual form, thanking His Royal Highness for His Royal Highness’s communication.

Earl GROSVENOR desired that the grant proposed might be very considerably extended. Either there should be made for such extraordinary deserts a grant of 100,000*l.* to the Earl, in order that his descendants might never become dependents on the bounty of the Crown, or the annuity should be raised to 6000*l.*, or at the very lowest to 4000*l.* per annum.

The Address was agreed to unanimously, and the usual orders made thereon.

HOUSE OF COMMONS. *February 18, 1812.*

The CHANCELLOR OF THE EXCHEQUER acquainted the House that he had a Message from H. R. H. the Prince Regent; and the same was read by the Speaker (*see HOUSE OF LORDS*).

## THANKS OF PARLIAMENT—BADAJOZ.

HOUSE OF LORDS. *April 27, 1812.*

The Earl of LIVERPOOL on moving the Thanks of their Lordships to the Earl of Wellington and the General officers, officers, non-commissioned officers, and soldiers of those divisions of the army which were concerned in the capture of Badajoz, begged to offer the tribute of his unqualified admiration and respect to the military genius and undaunted energy displayed in this memorable affair by the noble Commander-in-Chief of the allied forces, which had not been surpassed on any former occasion in his victorious career.

Lord HOLLAND seconded the motion, when it was Resolved unanimously, 'That the Thanks of this House be given to Gen. the Earl of Wellington, for the great ability and military skill manifested by him in the recent siege of Badajoz, by which that important fortress has been wrested from the possession of the enemy.'

*June 22, 1812.*

The LORD CHANCELLOR acquainted the House that he had received the following letter from Gen. the Earl of Wellington:

*Gen. the Earl of Wellington, K.B., to the Right Hon. the Lord Chancellor.*

MY LORD,

Fuente Guinaldo, May 28, 1812.

I received by the last post your Lordship's letter, in which you enclosed the unanimous Resolutions of the House of Lords of the 27th April last, conveying the approbation of their Lordships of the conduct of the General officers, officers, and troops under my command, in the siege and assault of Badajoz, which, in obedience to their Lordships' commands, I have communicated to the army.

This fresh mark of the favor which their Lordships are disposed to view the services of the army under my command has been received by me with gratitude proportionate to the sense I entertain of the value of their Lordships' approbation; and I request your Lordship to convey my thanks to the House for the honor which they have conferred upon us.

I am sensible of the value of your Lordship's friendship and

kindness, and beg you to accept my thanks for the handsome terms in which you have conveyed the sense of the House of Lords.

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HOUSE OF COMMONS. *April 27, 1812.*

On the Motion of the CHANCELLOR OF THE EXCHEQUER, who gave a succinct summary of the operations preceding the siege and connected with the storming of Badajoz, it was resolved,

‘That the Thanks of this House be given to Gen. the Earl of Wellington,’ &c. (*see* HOUSE OF LORDS).

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*June 20, 1812.*

The SPEAKER acquainted the House that he had received the following letter from Gen. the Earl of Wellington :

*The Earl of Wellington, K.B., to the Speaker of the House of Commons.*

SIR,

Fuente Guinaldo, May 28, 1812.

I have communicated to the General officers, officers, and troops under my command, the unanimous Resolutions of the House of Commons of the 27th April last, conveying the approbation of the House of their conduct in the siege and assault of Badajoz, which you transmitted in your letter of the 27th April.

I beg leave, through you, to assure the House of the sense which I entertain of the value of their approbation, and of my earnest desire to prove my gratitude for the repeated marks which I have received of the favor with which the House of Commons has received the services of the army under my command.

I beg you, Sir, likewise to be assured that I am duly impressed with a sense of the kindness manifested by you in the mode of conveying to me the sentiments of the House of Commons.

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## THANKS OF PARLIAMENT—SALAMANCA.

HOUSE OF LORDS. *December 3, 1812.*

On the Motion of Earl BATHURST, who professed himself at a loss for language to give adequate expression to the sense he entertained of the skill, judgment, and inflexible perseverance with which the Marquis of Wellington had projected and conducted all the operations of a campaign, so recently illustrated by the glorious victory obtained by that noble and gallant General over the French army at the battle of Salamanca, it was resolved,

‘That the Thanks of this House be given to Gen. the Marquis of Welling-

ton, for the many and great services which he has rendered to this kingdom, and to His Majesty's Allies, during the late campaign; and more particularly for the glorious and decisive victory obtained near Salamanca, by the Allied Army under his Lordship's command, upon the 22nd of July last, whereby the French power in Spain has been essentially diminished, the siege of Cadiz has been raised, and the southern provinces of the Peninsula have been rescued from the hands of the enemy.'

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*April 10, 1813.*

The LORD CHANCELLOR acquainted the House that he had received the following letter from Gen. the Marquis of Wellington :

*The Marquis of Wellington, K.B., to the Lord Chancellor.*

MY LORD,

Freneda, March 22, 1813.

I have had the honor of receiving your Lordship's letters of the 5th of December and 5th of February last, in which your Lordship enclosed the Resolutions of the House of Lords, expressing the approbation of their Lordships of the conduct of the General officers, officers, and troops under my command, in the service of Portugal, as well as in His Majesty's service, during the late campaign in the Peninsula, but more particularly in the battle of Salamanca.

I have had the satisfaction of communicating to those concerned this honorable testimony of their good conduct and reward of their services; and I request your Lordship to convey to the House my grateful acknowledgments for the favor with which they have received my conduct, and the high honor which they have conferred upon me by their approbation.

I likewise request your Lordship to accept my thanks for the handsome terms in which you have conveyed to me the sense of the House of Lords.

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HOUSE OF COMMONS. *December 3, 1812.*

(On the Motion of Lord CASTLEREAGH, it was resolved,  
'That the Thanks of this House be given to Gen. the Marquis of Wellington,' &c. (see HOUSE OF LORDS).)

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*March 22, 1813.*

The SPEAKER acquainted the House that he had received the following letter from Gen. the Marquis of Wellington :

*Gen. the Marquis of Wellington, K.B., to the Right Hon. the Speaker of the House of Commons.*

SIR,

Freneda, March 22, 1813.

I have had the honor of receiving your letters of the 4th December and 4th February last, in which you enclosed the Resolutions of the House of Commons conveying the approbation of the House of the conduct of the General officers, officers, and troops under my command, Portuguese as well as His Majesty's subjects, during the late campaign in the Peninsula, and particularly in the battle of Salamanca, which I have had the satisfaction of communicating to those concerned.

I beg that you will do me the favor to make my acknowledgments to the House for the favor with which they have again viewed my conduct in my endeavors to serve His Majesty and his allies, and for the honor which they have conferred upon me by their approbation.

I beg likewise that you will accept my most grateful thanks for the handsome terms in which you have conveyed to me the sense of the House.

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MESSAGE FROM H. R. H. THE PRINCE REGENT.

GRANT TO THE MARQUIS OF WELLINGTON.

HOUSE OF LORDS. *December 4, 1812.*

The Earl of LIVERPOOL acquainted the House that he had a Message from H.R.H. the Prince Regent, in the name and on the behalf of His Majesty, respecting the Marquis of Wellington; and the same was read by the Lord Chancellor, as follows:

‘GEORGE P. R.

‘The Prince Regent, acting in the name and on the behalf of His Majesty, having taken into his consideration the eminent and signal services performed by Gen. the Marquis of Wellington on so many occasions, and particularly in the glorious battle of Salamanca, is desirous of bestowing such a mark of national munificence on Gen. the Marquis of Wellington as may enable him to sustain the high honors which His Royal Highness has thought proper to confer on him and his descendants.

‘The Prince Regent recommends therefore to the House of Lords to concur in such measures as may be necessary for the accomplishment of this most important object. G. P. R.’



HOUSE OF COMMONS. *December 4, 1812.*

Lord CASTLEREAGH acquainted the House that he had a Message from H.R.H. the Prince Regent; and the same was read by the Speaker (*see HOUSE OF LORDS*).

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*December 7, 1812.*

In Committee on the Message of H.R.H. the Prince Regent, relative to the Marquis of Wellington,

Lord CASTLEREAGH said, the Thanks of that House had already been conferred on the Marquis of Wellington no less than eight different times, on six of which occasions they were tendered for his admirable services in the Peninsula. He had beaten the ablest, the most experienced and renowned and fortunate of all the Generals of France. He had beaten Marmont; he had beaten Soult; he had beaten Massena; he had beaten Ney; he had beaten Jourdan. On a review of these and other noble exploits and grand achievements of this great Commander, he was satisfied the Committee would concur with him in the vote he had now to propose, viz.:

‘That it is the opinion of this Committee that a sum not exceeding 100,000*l.* be granted to His Majesty, to be vested in trustees for the use of the Marquis of Wellington and such other persons on whom the title of Marquis of Wellington shall descend, and to be employed in the purchase of lands, tenements, and hereditaments, to accompany the said title, and that the said sum be issued and paid without any fee or other deduction whatsoever.’

AFFIRMED.

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*December 14, 1812.*

Mr. LUSHINGTON reported from the Committee of Supply the following Resolution:

‘Resolved, that the lands, tenements, and hereditaments to be purchased for the use of the Marquis of Wellington, and such other persons to whom the title of Marquis of Wellington shall descend, shall, if such title become extinct by failure of heirs male of the said Marquis of Wellington, be settled and reserved to the use of the female descendants of the said Marquis of Wellington.’

And a motion being made, ‘That it be an instruction to the Committee of the whole House, in the Bill for granting a sum of money for purchasing an estate for the Marquis of Wellington, and such persons to whom the title of Marquis of Wellington may descend, in consideration of the eminent and signal services performed by the said Marquis of Wellington to His Majesty and the public, that they have power to make provision therein pursuant to the said Resolution:’

The CHANCELLOR OF THE EXCHEQUER acquainted the House, that H.R.H. the Prince Regent, having been informed of the subject matter of the said Resolution, had given his consent, as far as His Majesty is concerned, and recommended the same to the consideration of the House.

Resolution agreed to.

THANKS OF PARLIAMENT—VITTORIA.

HOUSE OF LORDS. July 7, 1813.

Earl BATHURST, after a brief statement of the events of the battle of Vittoria, characterized it as a victory of a nature as decisive in itself, and as gigantic in its results, as any which had graced the military annals of England. His Lordship then moved,

‘That the Thanks of this House be given to Field Marshal the Marquis of Wellington, K.G., for the energy and distinguished ability with which he hath conducted the late operations of the allied forces in Spain; and particularly for the splendid and decisive victory obtained upon the 21st of June last near Vittoria, when the French army was completely routed, with the loss of all its artillery, stores, and baggage.’

Agreed to.

*(No answer recorded in the Journals of the House of Lords.)*

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HOUSE OF COMMONS. July 7, 1813.

On the Motion of Lord CASTLEREAGH, it was resolved,

‘That the Thanks of this House be given to Field Marshal the Marquis of Wellington, K.G.,’ &c. (see HOUSE OF LORDS).

*(No answer recorded in the Journals of the House of Commons.)*

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THANKS OF PARLIAMENT—SAN SEBASTIAN.

HOUSE OF LORDS. November 8, 1813.

Earl BATHURST, after recapitulating the operations of the British army in Spain, subsequent to the battle of Vittoria, and especially adverting to the capture of San Sebastian, and the several victorious actions in which our forces, in conjunction with those of the Portuguese and the Spaniards, had been engaged, under the command of Field Marshal the Marquis of Wellington, moved that,

‘The Thanks of this House be given to Field Marshal the Marquis of Wellington, K.G., for the consummate ability, indefatigable exertion, and admirable judgment displayed by him in the operations which succeeded the battle of Vittoria, by which the enemy have been compelled to abandon the western provinces of Spain, and the Allied Army finally established on the frontier of France.’

ADOPTED.

*(No answer recorded in the Journals of the House of Lords.)*

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HOUSE OF COMMONS. November 8, 1813.

On the Motion of Lord CASTLEREAGH, it was resolved,

‘That the Thanks of this House be given to Field Marshal the Marquis of Wellington, K.G.’ &c. (see HOUSE OF LORDS).

*(No answer recorded in the Journals of the House of Commons.)*

## THANKS OF PARLIAMENT—ORTHEZ.

HOUSE OF LORDS. *March 24, 1814.*

On the Motion of Earl BATHURST, who called upon the House to testify, by their Thanks, their approbation of the very eminent services which had been recently performed by Field Marshal the Most Hon. the Marquis of Wellington, entered into a brief description of the extraordinary difficulties which the Field Marshal had had to encounter, and the extraordinary mode in which he had surmounted them, in making good the passage of the Adour, and in the various operations which had resulted in the victorious action of Orthez and the occupation of Bordeaux by the British army, it was resolved,

‘That the Thanks of this House be given to Field Marshal the Most Hon. Arthur, Marquis of Wellington, for the additional proofs of his consummate ability, experience, and distinguished valor displayed in the late battle at Orthez, on the 27th of February last, and in the operations leading to and immediately connected with that engagement, which terminated in the signal defeat of the enemy, and in the occupation of Bordeaux by the Allied forces.’

Earl GREY seconded the motion, which was unanimously carried.

*(No answer recorded in the Journals of the House of Lords.)*

HOUSE OF COMMONS. *March 24, 1814.*

On the Motion of the CHANCELLOR OF THE EXCHEQUER, who ‘claimed the grateful attention of the House of Commons to the recent glorious services of Field Marshal the Marquis of Wellington, K.G., and his brave army,’ it was resolved,

‘That the Thanks of this House be given to Field Marshal the Most Hon. Arthur, Marquis of Wellington,’ &c. *(see HOUSE OF LORDS).*

*July 4, 1814.*

The SPEAKER acquainted the House that he had received the following letter from Field Marshal the Duke of Wellington :

*Field Marshal the Duke of Wellington, K. G., to the Right Hon. the Speaker of the House of Commons.*

SIR,

Toulouse, May 16, 1814.

I have had the honor of receiving your letter of the 25th March, in which you have transmitted the Votes of the House of Commons on the 24th March, by which the House have been pleased to declare their unanimous approbation of my conduct, and of that of the General officers, officers, and soldiers under my command, in the battle fought near Orthez on the 27th February.

I beg that you will convey to the House my grateful acknowledgments of this mark of their favour, and that you will assure

them that the General officers and troops are equally sensible with myself of the value of their approbation.

I have again to thank you, Sir, for the handsome terms in which you have conveyed to me the sense of the House.

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MESSAGE FROM H. R. H. THE PRINCE REGENT.

FURTHER PROVISION FOR THE DUKE OF  
WELLINGTON.

HOUSE OF LORDS. *May 10, 1814.*

The Earl of LIVERPOOL acquainted the House that he had a Message from H.R.H. the Prince Regent, acting in the name and on the behalf of His Majesty ; and the same was read by the Lord Chancellor, as follows :

‘ GEORGE P. R.

‘ The Prince Regent, acting in the name and on the behalf of His Majesty, having taken into consideration the many signal victories obtained by Field Marshal the Duke of Wellington, has been pleased to confer upon him the rank and title of a Duke and Marquis of the United Kingdom : His Royal Highness is desirous of further manifesting the sense he entertains of those great and extraordinary services which have exalted the renown of the British army, established the independence and safety of Portugal and Spain, and contributed largely to the present tranquillity of Europe.

‘ The Prince Regent, therefore, recommends to the House of Peers to concur in enabling His Royal Highness to grant such annuity to Field Marshal the Duke of Wellington, and the heirs of his body, who may succeed to the title of Duke of Wellington, as shall tend to support the high dignity of the title conferred, and be, at the same time, a lasting memorial of His Royal Highness’s feelings, and of the gratitude and munificence of the nation.

G. P. R.’

The Message was ordered to be taken into consideration on the following day (May 11).

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HOUSE OF COMMONS. *May 13, 1814.*

The CHANCELLOR OF THE EXCHEQUER acquainted the House that he had a Message from H.R.H. the Prince Regent ; and the same was read by the Speaker (*see* HOUSE OF LORDS).

The Message was ordered to be taken into consideration on the following day.

May 12, 1814.

In Committee on the Message of the Prince Regent,

The CHANCELLOR OF THE EXCHEQUER shortly glanced at the very eminent services which the Field Marshal had rendered to this country, to France, to Europe, and to the civilised world at large. He expressed a confident hope that the House, warmly seconding the anxious wishes of His Royal Highness, 'would enable this illustrious General to retire, whenever he chose, from the public service, and to enjoy the comforts of life in a peaceful old age, amidst the blessings of his countrymen.' He proceeded to touch upon various points of analogy presented in the cases of the first Duke of Marlborough, and the Duke of Wellington; though he conceived that, with the jarring elements he had to work with in his recent campaigns, the latter had achieved a much more difficult task than the former had had to accomplish with the well assimilated German, Dutch, and English troops under his command. The Right Honourable gentleman stated, that he should propose to the Committee that an annuity of 10,000*l.* a year, in addition to the grant already bestowed on His Grace, be secured to him on the Consolidated Fund. As this grant ought to be settled on a territorial basis, provision should be introduced in the Bill, to make the annuity redeemable at 30 years' purchase; *i. e.* for the sum of 300,000*l.* In the purchase of an estate of the value of from 300,000*l.* to 400,000*l.*, it was by no means improbable that a sumptuous mansion might be found to go along with it. This proposed annuity of 10,000*l.* to be exchanged for an estate of 300,000*l.*, added to the former grants to His Grace of 100,000*l.*, and an annuity of 4000*l.*, would make the total sum payable to the Duke amount to between 18,000*l.* and 19,000*l.* a year. He moved, therefore,

'That the sum of 10,000*l.* be paid annually out of the Consolidated Fund for the use of the Duke of Wellington; to be at any time commuted for the sum of 300,000*l.* to be laid out in the purchase of an estate.'

Mr. WHITBREAD would be well pleased if the grant were to be sufficiently enlarged to allow of a splendid mansion being either bought or built for the Duke.

Mr. PONSONBY could not but think the grant too small. He desired to see His Grace put in possession of a very large landed estate, which should descend to his remotest posterity. Had any other person proposed 500,000*l.* he would have supported the motion. In any case he was prepared to vote for 400,000*l.*

Mr. CANNING was inclined to give the largest sum that had been named. The proposal, however, should come from Government.

The CHANCELLOR OF THE EXCHEQUER, acting on the suggestion of Mr. Ponsonby, enlarged the amount named in his Resolutions, so as to make the sum formerly, and now to be granted, altogether, 500,000*l.* This would increase the annuity alone to 13,000*l.*

Mr. WHITBREAD said the gift was now worthy of the giver and the receiver.

The motion for the annuity, and the grant of 400,000*l.* for its redemption, was then put and carried, *nemine contradicente*, and the House resumed.

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May 13, 1814.

Mr. BROGDEN, Chairman of the Committee of Supply, brought up the Resolutions which they had directed him to report to the House, and the same were read as follow:

'1. That the annual sum of 13,000*l.* net be granted to His Majesty out of the Consolidated Fund of Great Britain, to enable His Majesty to grant the said annuity to Field Marshal His Grace the Duke of Wellington, and the heirs male of his body respectively who may succeed to the title of Duke of Wellington, in order to support the dignity of the Dukedom of Wellington.

'2. That it shall be lawful for the Lord High Treasurer, or the Commissioners of the Treasury in Great Britain for the time being, upon application of the said Duke, or any of his successors, to advance out of the Consolidated Fund of Great Britain, in lieu of the said annuity, any sum or sums of money not exceeding in the whole the sum of 400,000*l.* for the purpose of enabling the said Duke, or his successors Dukes of Wellington, with the approbation of the said Lords Commissioners, to purchase lands, tenements, and hereditaments, to be settled to the use of the said Duke and his successors, and to support the dignity of the Dukedom of Wellington; and, from the time when such sum of 400,000*l.*, or any portion thereof, may be issued, the whole of the said annuity, or part proportionate to the principal sum so issued, shall cease and determine.'

Mr. WARD hoped that no part of this sum of money would be laid out in the purchase of a building, but that some domain might be found with a mansion fitted for the purpose in contemplation.

The CHANCELLOR OF THE EXCHEQUER concurred in this opinion, but apprised the House that the Commissioners for superintending the grant had hitherto met with insurmountable difficulties in finding such an estate with a fitting residence upon it.

The Resolution being unanimously affirmed, a Bill in conformity therewith was ordered to be brought in, in the usual course.

HOUSE OF LORDS. *June 27, 1814.*

### THANKS OF THE HOUSE OF LORDS.

Earl BATHURST directed their Lordships' attention to the glorious fact, that the Duke of Wellington had now closed a brilliant and momentous campaign of five years, at the commencement of which the greater part of Spain was occupied by French armies. There was now not a single Frenchman in hostile presence in the whole Peninsula. His Lordship concluded by moving,

'That the Thanks of this House be given to Field Marshal the Duke of Wellington, on his return from his Command abroad, for his eminent and unremitting service to His Majesty and to the public; and that the Lord Chancellor do deliver the same to his Lordship when His Grace shall be in his place in this House.'

CARRIED.

*June 28, 1814.*

The Lord Chancellor having taken his seat shortly after 3 o'clock, the DUKE OF WELLINGTON was introduced, supported by the Dukes of Richmond and Beaufort, in military uniform, and in their Ducal robes. Being arrived in the

body of the House, the Duke made the usual obeisance to the Lord Chancellor, and showed his patent and writ of summons: three noblemen then approached the table, where his Grace's various patents, as Baron and Viscount, Earl, Marquis, and lastly, Duke, were read by the clerks. The oaths were then administered, and the Test Rolls were signed by him. He then, accompanied by his noble supporters, took his seat on the Dukes' bench, and saluted the House in the usual manner, by rising, taking off his hat, and bowing respectfully.

The LORD CHANCELLOR then rose, and, pursuant to their Lordships' order, addressed his Grace:

‘MY LORD,

‘BARON DOURO, OF WELLESLEY,

‘VISCOUNT WELLINGTON, OF TALAVERA AND WELLINGTON,

‘EARL OF WELLINGTON,

‘MARQUIS DOURO AND WELLINGTON,

‘DUKE OF WELLINGTON,

‘I have received the commands of this House, which, I am persuaded, has witnessed with infinite satisfaction your Grace's personal introduction into this august assembly, to return your Grace the Thanks and acknowledgments of this House, for your great and eminent services to your King and Country.

‘In the execution of these commands, I cannot forbear to call the especial attention of all who hear me to a fact in your Grace's life, singular, I believe, in the history of the country, and infinitely honorable to your Grace, that you have manifested, upon your first entrance into this House, your right, under various grants, to all the dignities in the Peerage of this Realm which the Crown can confer. These dignities have been conferred at various periods, but in the short compass of little more than four years, for great public services, occurring in rapid succession, claiming the favor of the Crown, influenced by its sense of justice to your Grace and the country; and on no one occasion in which the Crown has thus rewarded your merits have the Houses of Parliament been inattentive to your demands upon the gratitude of the country. Upon all such occasions they have offered to your Grace their acknowledgments and Thanks, the highest honors they could bestow.

‘I decline all attempts to state your Grace's eminent merits in your military character; to represent those brilliant actions, those illustrious achievements, which have attached immortality to the

name of Wellington, and which have given to this country a degree of glory unexampled in the annals of this Kingdom. In thus acting, I believe I best consult the feelings which evince your Grace's title to the character of a truly great and illustrious man.

'My duty to this House cannot but make me most anxious not to fall short of the expectation which the House may have formed as to the execution of what may have been committed to me on this great occasion; but the most anxious consideration which I have given to the nature of that duty has convinced me that I cannot more effectually do justice to the judgment of the House than by referring your Grace to the terms and language in which the House has so repeatedly expressed its own sense of the distinguished and consummate wisdom and judgment, the skill and ability, the prompt energy, the indefatigable exertion, the perseverance, the fortitude, and the valor, by which the victories of Vimeiro, Talavera, Salamanca, and Vittoria were achieved; by which the sieges of Ciudad Rodrigo and Badajoz were gloriously terminated; by which the deliverance of Portugal was effectuated; by which the ever memorable establishment of the Allied Armies on the frontiers of France was accomplished; armies pushing forward, in the glory of victory at Orthez, to the occupation of Bordeaux.

'These achievements, in their immediate consequence infinitely beneficial to the common cause, have, in their final results, secured the peace, prosperity, and glory of this country; whilst your Grace's example has animated to great exertions the other nations of Europe, exertions rescuing them from tyranny, and restoring them to independence, by which there has been ultimately established among all the nations of Europe that balance of power, which, giving sufficient strength to every nation, provides that no nation shall be too strong.

'I presume not to trespass upon the House by representing the personal satisfaction which I have derived from being the honored instrument of conveying to your Grace the acknowledgments and Thanks of this House upon every occasion upon which they have been offered to your Grace, or by endeavoring to represent the infinite gratification which I enjoy in thus offering, on the behalf of the House, on this day, to your Grace in person, those acknowledgments and those Thanks. Your Grace is now called to aid hereafter, by your wisdom and judgment, the great council of that



nation, to the peace, prosperity, and glory of which your Grace has already so essentially contributed ; and I tender your Grace, now taking your seat in this House, in obedience to its commands, the Thanks of the House in the words of its resolution : “ That the Thanks of this House be given to Field Marshal the Duke of Wellington, on his return from his command abroad, for his eminent and unremitting service to His Majesty and to the public.” ’

*THE DUKE* answered the address to the following effect :

My Lords, I have to perform a duty to which I feel myself very inadequate, to return your Lordships my thanks for this fresh mark of your approbation of my conduct and of your favor.

I assure your Lordships that I am entirely overcome by the honors which have been conferred upon me ; and by the favor with which I have been received in this country by the Prince Regent, by your Lordships, and by the public.

In truth, my Lords, when I reflect upon the advantages which I enjoyed in the confidence reposed in me, and the support afforded by the Government, and by H.R.H. the Commander-in-Chief, in the cordial assistance which I invariably received upon all occasions from my gallant friends the General officers of the army, who are an honor to their country, the gallantry and discipline of the troops, and in the manner in which I was encouraged and excited to exertion by the protection and gracious favor of the Prince, I cannot but consider that, however great the difficulties with which I had to contend, the means to contend with them were equal to overcome them ; and I am apprehensive that I shall not be found so deserving of your favor as I wish.

If, however, my merit is not great, my gratitude is unbounded ; and I can only assure your Lordships that you will always find me ready to serve His Majesty to the utmost of my ability in any capacity in which my services can be at all useful to this great country.

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HOUSE OF COMMONS. *June 27, 1814.*

### THANKS OF THE HOUSE OF COMMONS.

Lord CASTLEREAGH, having announced the return of Field Marshal the Duke of Wellington, moved the Thanks of this House to his Grace in the same terms as those adopted in the House of Lords, with this addition, ‘ and that a Committee of this House do wait upon his Grace to communicate the

same, and to offer to his Grace the congratulations of this House on his arrival in this Kingdom.'

Mr. WYNN seconded the motion, which was instantly and unanimously adopted.

Lord CASTLEREAGH having, on the 29th, reported from the Committee that it was the Duke's desire to express to the House his answer in person, the 1st July was appointed for the solemnity.

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*July 1, 1814.*

At about a quarter before five, the Speaker being dressed in his official robes, and the House being crowded with members, some of them in military and naval uniforms, and many in the Court dresses in which they had been attending the Speaker with an Address to the Prince Regent on the Peace, the House was acquainted that the DUKE of WELLINGTON was in waiting. His admission being resolved, and a chair being set for him on the left hand of the Bar towards the middle of the House, His Grace entered, making his obeisances, while all the members rose from their seats. The Speaker then informing him that a chair was placed for his repose, he sat down in it for some time covered, the Serjeant standing on his right hand with the mace grounded, and the members resumed their seats. He then rose and spoke, uncovered, to the following effect :

Mr. Speaker, I was anxious to be permitted to attend this House, in order to return my thanks in person for the honor they have done me in deputing a Committee of members of this House to congratulate me on my return to this country ; and this, after the House had animated my exertions by their applause upon every occasion which appeared to merit their approbation, and after they had filled up the measure of their favors by conferring upon me, at the recommendation of the Prince Regent, the noblest gift that any subject had ever received.

I hope it will not be deemed presumptuous in me to take this opportunity of expressing my admiration of the great efforts made by this House and the country at a moment of unexampled pressure and difficulty, in order to support the great scale of operations by which the contest was brought to so fortunate a termination. By the wise policy of Parliament, the Government was enabled to give the necessary support to the operations which were carried on under my direction ; and I was encouraged, by the confidence reposed in me by His Majesty's ministers, and by the Commander-in-Chief, by the gracious favor of H.R.H. the Prince Regent, and by the reliance which I had on the support of my gallant friends, the General officers of the army, and on the bravery of the officers and troops, to carry on the operations in such a manner as to

acquire for me those marks of the approbation of this House, for which I have now the honor to make my humble acknowledgments.

Sir, it is impossible for me to express the gratitude which I feel ; I can only assure the House that I shall always be ready to serve His Majesty in any capacity in which my services can be deemed useful, with the same zeal for my country which has already acquired for me the approbation of this House.

This speech was received with loud cheers, at the end of which the **SPEAKER**, who had sat covered during its delivery, rose, and thus addressed His Grace :

‘ My Lord, Since last I had the honor of addressing you from this place, a series of eventful years has elapsed ; but none without some mark and note of your rising glory.

‘ The military triumphs which your valor has achieved upon the banks of the Douro and the Tagus, of the Ebro and the Garonne, have called forth the spontaneous shouts of admiring nations. Those triumphs it is needless on this day to recount. Their names have been written by your conquering sword in the annals of Europe, and we shall hand them down with exultation to our children’s children.

‘ It is not, however, the grandeur of military success which has alone fixed our admiration, or commanded our applause ; it has been that generous and lofty spirit which inspired your troops with unbounded confidence, and taught them to know that the day of battle was always a day of victory ; that moral courage and enduring fortitude, which, in perilous times, when gloom and doubt had beset ordinary minds, stood nevertheless unshaken ; and that ascendancy of character, which, uniting the energies of jealous and rival nations, enabled you to wield at will the fate and fortunes of mighty empires.

‘ For the repeated Thanks and grants bestowed upon you by this House, in gratitude for your many and eminent services, you have thought fit this day to offer us your acknowledgments ; but this nation well knows that it is still largely your debtor. It owes to you the proud satisfaction, that, amidst the constellation of great and illustrious warriors who have recently visited our country, we could present to them a leader of our own, to whom all, by common acclamation, conceded the pre-eminence ; and when the will of Heaven and the common destinies of our nature shall have swept away the present generation, you will have left your great name and example as an imperishable monument, exciting others

to like deeds of glory, and serving at once to adorn, defend, and perpetuate the existence of this country amongst the ruling nations of the earth.

‘It now remains only that we congratulate your Grace upon the high and important mission on which you are about to proceed, and we doubt not that the same splendid talents, so conspicuous in war, will maintain, with equal authority, firmness, and temper, our national honor and interests in peace.’

His Grace then withdrew, making the same obeisances as when he entered; and all the members rising again, he was reconducted by the Serjeant to the door of the House. After he was gone, Lord CASTLEREAGH moved, that what the Duke had said on returning thanks to the House, together with the Speaker’s answer, be printed in the Votes, which was agreed to *nem. con.*

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### MESSAGE FROM H. R. H. THE PRINCE REGENT.

HOUSE OF LORDS. *June 22, 1815.*

The Earl of LIVERPOOL acquainted the House that he had a Message from H.R.H. the Prince Regent, in the name and on the behalf of His Majesty, under His Royal Sign Manual, relating to the further provision proper to be made for Field Marshal the Duke of Wellington by reason of his recent distinguished services. The Message was read by the Lord Chancellor, as follows :

GEORGE P. R.

‘The Prince Regent, acting in the name and on the behalf of His Majesty, having taken into consideration the most important and glorious victory obtained by Field Marshal the Duke of Wellington over the French army, under the immediate command of Buonaparte, on the 18th of this month, is desirous of manifesting the sense entertained by His Royal Highness and the country of this signal and splendid achievement, which has added fresh renown to the British arms, and which cannot fail to be productive of the most essential advantage to Europe.

‘The Prince Regent therefore recommends to the House of Peers to concur in enabling His Royal Highness to grant such additional provision to Field Marshal the Duke of Wellington, as shall afford a further proof of the opinion entertained by Parliament of the Duke of Wellington’s transcendent services, and of the gratitude and munificence of the British nation.

‘G. P. R.’

The Message was ordered to be taken into consideration on the ensuing day, and the Lords to be summoned.

## THANKS OF PARLIAMENT—WATERLOO.

*June 23, 1815.*

Earl BATHURST, after describing the general features of the great battle fought by the allied armies at Waterloo, under command of Field Marshal the Duke of Wellington, and congratulating the House on the mighty results which must ensue from it in the pacification of Europe and of the world, moved,

‘That the Thanks of this House be given to Field Marshal the Duke of Wellington, K.G., for the consummate ability, unexampled exertion, and irresistible ardour displayed by him on the 18th of June; on which day the decisive victory over the enemy commanded by Buonaparte in person was obtained by his Grace with the allied troops under his command, and in conjunction with the troops under Marshal Prince Blücher, whereby the military glory of the British nation has been exalted, and the territory of His Majesty’s ally, the King of the Netherlands, has been protected from invasion and spoil.’

The Marquis of LANSDOWNE seconded the motion, which was unanimously agreed to.

*(No answer recorded in the Journals of the House of Lords.)*

The Earl of LIVERPOOL afterwards, pursuant to notice, moved a resolution, in conformity with the Message of H.R.H. the Prince Regent,

‘That this House will concur in granting such additional provision to Field Marshal the Duke of Wellington as may be necessary to afford a further proof of the opinion entertained by Parliament of his transcendent services and of the gratitude of the British nation.’

Agreed to unanimously.

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HOUSE OF COMMONS. *June 22, 1815.*

Lord CASTLEREAGH acquainted the House that he had a Message from H.R.H. the Prince Regent; and the same was read by the Speaker (*see HOUSE OF LORDS*).

The Message was ordered to be taken into consideration on the following day.

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*June 23, 1815.*

On the Motion of Lord CASTLEREAGH, it was resolved,

‘That the Thanks of this House be given to Field Marshal the Duke of Wellington, K.G.,’ &c. (*see HOUSE OF LORDS*).

The CHANCELLOR OF THE EXCHEQUER, on the House having resolved itself into a Committee of Supply, moved a Resolution,

‘That a sum not exceeding 200,000*l.* be granted to His Majesty for enabling the trustees appointed under an Act of the last Session of Parliament for settling and securing an annuity on Arthur, Duke of Wellington, and his heirs; and for empowering the Lords of the Treasury to advance out of the Consolidated Fund of Great Britain a sum of money to purchase an estate in

order to accompany the said title ; to carry into effect the provisions of the said Act with respect to the purchasing a suitable residence and estate for the Duke of Wellington and his heirs.'

Agreed to, *nemine contradicente*.

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February 1, 1816.

The SPEAKER acquainted the House that he had received the following letter from Field Marshal His Grace the Duke of Wellington (with an enclosure from Prince Blücher):

*Field Marshal the Duke of Wellington, K.G., to the Right Hon. the Speaker of the House of Commons.*

SIR,

Paris, July 9, 1815.

I have had the honor of receiving your letter of the 23rd June, with which you have enclosed the unanimous Resolutions of the House of Commons of the same day, by which the House have expressed their approbation of the conduct of the General officers, officers, and troops composing the army under my command, and of myself and of Field Marshal Prince Blücher, and of the Prussian army, in the battle of the 18th June.

I beg that you will assure the House that I entertain a high and just sense of the honor which they have conferred upon me, and that I beg them to accept my best thanks for this fresh mark of the favor with which they receive my services and those of the troops under my command.

According to the orders of the House, I communicated to Field Marshal Prince Blücher the Resolution of the House regarding his conduct, and that of the Prussian army ; and I have the honor to enclose the copy of his letter to me upon this occasion, which will best explain His Highness's sentiments.

I cannot conclude without requesting you, Sir, to accept my thanks for the handsome terms in which you have conveyed me the sense of the House.

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June 26, 1815.

The Report of the Committee of Supply being brought up, the resolution for an additional grant of 200,000*l.* to the Duke of Wellington and his heirs was read a first and a second time, and carried unanimously.

On the same day, in Committee of the whole House on the Duke of Wellington's Estate Bill, a clause was added on the motion of Mr. LUSHINGTON, providing,

'That Field Marshal the Duke of Wellington, his heirs, and his successors,

shall hold the estate and mansion voted by Parliament to the said Duke, on the condition that the said Duke, or his heir or successor for the time being, shall annually present, on the 18th day of June, a tricolored flag to His Majesty, or His Majesty's heir or successor then reigning, at His Majesty's Castle of Windsor.'

CARRIED.

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THANKS OF PARLIAMENT.

*July 2, 1816.*

On this, the last day of the Session, Lord CASTLEREAGH, having called the attention of the House to the recent return of the Duke of Wellington to this country, moved,

'That the Thanks of this House be given to Field Marshal the Duke of Wellington, on his return from the Continent, for his eminent and unremitting services to His Majesty and to the public, especially in the ever memorable battle of Waterloo; and that a Committee of this House do wait upon his Grace to communicate the same, and to offer to his Grace the congratulations of this House on his arrival in this kingdom.'

This motion was unanimously agreed to, and a Committee was forthwith appointed for the purposes proposed by it.

*(No answer recorded in the Journals of the House of Commons.)*

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# THE IMPERIAL PARLIAMENT.

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## HOUSE OF LORDS.

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[FIRST SESSION OF THE SIXTH IMPERIAL PARLIAMENT.]\*

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*March 2, 1819.*

### THANKS TO THE MARQUIS OF HASTINGS.

The Earl of LIVERPOOL moved the Thanks of their Lordships to the Marquis of Hastings, Governor General of India, and to the officers and troops under his command, for their conduct during the late war in India.

The Marquis of LANSDOWNE expressed his intention of proposing an amendment, 'That this House, in voting thanks to the army in India, does not express any opinion on the execution of the killadar of the fort of Talnier, but considers the particulars given thereof in the despatches before this House not satisfactory, and requires the fullest information on that subject.'

The Thanks of the House having been accordingly given to Gen. the Marquis of Hastings,

The Earl of LIVERPOOL, in moving the Thanks of their Lordships to Sir T. Hislop by name, and to the officers employed under him, remarked, that if the amendment which had been proposed could be construed into anything like a qualification of the Thanks of the House to that gallant General for his exertions in the war, he should give to it his decided negative. Government had already sent out instructions to have inquiries instituted into the execution of the killadar, a measure which, it should be observed, when reported upon to the Marquis of Hastings, whose humanity was so universally known, was highly approved of by that noble personage.

*THE DUKE OF WELLINGTON* said :

My Lords, I cannot but profess my entire concurrence in the tribute of approbation which has been bestowed upon the Marquis of Hastings for his conduct in the late war in India. There cannot remain a doubt, in the minds of those acquainted with the facts, but that the wisdom of the plan on which it was commenced, and the vigor of its execution, have merited the highest praise.

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\* The Duke of Wellington was appointed Master-General of the Ordnance on the 26th December, 1818, and became a member of the Cabinet of Ministers on the breaking up of the Army of Occupation in France.



My Lords, I am well pleased that an opportunity like the present has occurred to do justice to the services and gallantry of our troops in India, which are, too often, neglected or disallowed. No troops in the world ever perform their duty better, or observe a more steady discipline. They remarkably evinced their good qualities in all their late transactions, whether acting in great masses or in small detachments. In all situations they nobly performed their duty.

With regard to the conduct of Sir T. Hislop, in executing the killadar of Talnier, I cannot take the same view of it as the noble Lords opposite. That gallant officer has acquired a high character for his services both in India and in other parts of the world ; and in the late war, which is now under your Lordships' consideration, he performed the chief part in the engagement which decided the ultimate success of our arms. His conduct, therefore, deserves to be viewed, my Lords, with a partial eye ; and the act for which he has been blamed seems *primâ facie* to admit of justification. And I beg your Lordships to observe that the gallant General made a full report of the affair to the Commander in Chief, and received the Commander in Chief's unqualified approbation ; which he was not likely to have done, had the act complained of been so reprehensible as, without explanation, it has been described to your Lordships. He, therefore, comes before the House with a probable evidence of innocence in his favor. Another consideration which I would impress upon your Lordships, on the present occasion, is this : that, by acknowledging the merits of Sir T. Hislop, generally, in the war, there is no approval implied of the act in question, on which the Government has, in the mean while, ordered inquiries to be made.

The Marquis of LANSDOWNE, to meet the views of the noble Duke, altered his amendment thus :

‘That in the present state of the information before them, this House mean by their Vote of Thanks to express no opinion on the conduct of General Hislop regarding the execution of the killadar of Talnier.’

*THE DUKE OF WELLINGTON* said :

My object, my Lords, in opposing the amendment simply is, to destroy the necessity which the latter part of it would impose on the Commander in Chief to bring Sir T. Hislop to trial. I do not object to any demand for further information ; nor do I,

my Lords, wish to pledge this House to an approval of the act referred to, without its having such additional information before it.

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*May 17, 1819.*

### ROMAN CATHOLIC CLAIMS.

The Earl of DONOUGHMORE submitted a Resolution,

‘That the House would resolve itself into a Committee to consider the state of the laws which inflict civil disabilities on account of religious opinions, particularly in so far as those laws deprive His Majesty’s Roman Catholic subjects of the exercise of their civil rights ; and as to how far it may be expedient to alter or modify the same.’

*THE DUKE OF WELLINGTON* said :

I consider, my Lords, that the whole of this question turns upon the expediency of removing the disabilities of which the Irish Roman Catholics complain, and upon what concessions can be safely made to them. As an eligible means of instituting the preliminary inquiries which must be necessary, a Committee of your Lordships is proposed by the noble Earl. In reference to that proposition, the whole question, as it seems to me, turns upon the degree of security which can be provided, in connexion with the object of this motion, for the Protestant religion as by law established in Ireland. In order to determine that point, my Lords, it is necessary to consider how the Reformation was established in Ireland.

My Lords, I do not imagine it to be requisite for me to recal to your Lordships’ remembrance that the Reformed religion was established in Ireland at the point of the sword, and by means of confiscations. All this course of proceeding was repeated at the Revolution, and is still fresh in the recollection of the people of Ireland. Keeping in view the fact that the Irish Roman Catholic Church, under all oppressions, has continued in the same state, the Pope retaining the same influence over the clergy, the clergy the same power over the people ; in reference to this state of things, I would ask your Lordships whether it is possible that Roman Catholics can be safely admitted to hold seats in Parliament ? The influence of the priesthood over the people is still fostered by the remembrance of the events to which I have alluded, and the idea of unmerited and mutual suffering ; and I believe that no

doubt can be entertained, considering their present feelings, that, if the Roman Catholics were admitted to the enjoyment of political power, their first exertion would be to restore their religion to its original supremacy, and to recover the possessions and property of which they were stripped by the Reformation. It has been, however, said that securities are now offered on the part of the Roman Catholics. The Pope, it seems, has, in the appointment of bishops, relinquished all control to the Crown, except the mere conferring of a spiritual blessing. But how has that concession been received, my Lords, by the people of Ireland? It has excited the utmost discontent, and is actually regarded as an abandonment of the essential principles of their religion, and an attack on their national independence. Does this impression arise from the people of Ireland having a less clear idea of national independence than other people? No, my Lords, but they feel that, if the executive power were to possess any control over the appointment of the Roman Catholic bishops, some security would be thereby obtained for the Protestant Church. Considering, then, that the whole question turns upon the degree of security which could be given, and looking at the various securities which have at several times been proposed, I confess, my Lords, that I have never yet seen anything propounded that comes up to my notion of that which ought to be required. As to what has been said by some noble Lords of the domestic nomination of bishops, I do not see, my Lords, how the laws of the country could operate upon it, so as to make it an adequate security. Then, my Lords, as to the oath of allegiance which the bishop is to take, according to this scheme of securities, of what avail, let me ask, could it be that the law should require this oath from a bishop who is appointed God knows how, or by whom?

When all these circumstances, my Lords, are carefully considered, the state of the Irish Roman Catholic Church, the way in which the Reformation was effected, the rivalry and enmity between the Roman Catholic and the Established Churches, and the inadequacy of all the securities which have been proposed, there is, in my opinion, enough ground to enable us to decide the question; for the first and greatest duty of the Legislature undoubtedly is, to secure the establishments as settled at the Revolution.

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*June 30, 1819.*

REVERSAL OF ATTAINDER OF LORD EDWARD  
FITZGERALD.

The Earl of LIVERPOOL brought in a Bill to reverse the attainder of the late Lord Edward Fitzgerald; by which attainder the blood of his two children, Edward Fox Fitzgerald and Louisa Maria Fitzgerald, had become corrupted, the former of whom had served his country in the field, and distinguished himself by his gallant behaviour on several occasions.

*THE DUKE OF WELLINGTON* said :

My Lords, I am reluctant to address you after my noble friend, who has, with so much feeling, commended the Bill he has introduced to the consideration and favor of your Lordships. But, my Lords, I cannot permit the present opportunity to pass without bearing my testimony, which I have sincere pleasure in doing, to the brave, and honorable, and excellent conduct of the young man in question, during the whole period for which I have been acquainted with him.

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*December 10, 1819.*

BLASPHEMOUS LIBELS.

Viscount SIDMOUTH having moved that the 'Bill for the better repression of Blasphemous Libels' (one of the main objects of which was to increase the penalty for a second offence, the existing law not containing any such distinctive enactment) do pass,

Lord ERSKINE and Lord HOLLAND contended that the Bill was uncalled for, and would vote against the motion of the noble Viscount.

*THE DUKE OF WELLINGTON* said :

It appears to me, my Lords, that my noble and learned friend (Lord Erskine) has completely mistaken the question which is raised by the Bill before your Lordships. What your Lordships have to consider is not, as I take it, whether the present law of libel be or be not sufficient in respect of the penalties it affixes to a first offence; or whether the Government ought to have instituted more prosecutions on account of libels than it has thought proper to do. But the question is, whether it be proper, now, to pass a law that shall inflict a more severe punishment on parties convicted a second time, of a similar offence, under the libel law

as it exists? As I understand the matter, my Lords, what has given occasion for the introduction of the present measure is, the peculiar case of Carlile. This very notorious person has not only continued the sale of the identical libel, on account of which he was prosecuted, after his conviction under that prosecution, but he has since published other libels of a scandalous kind; and he even republished, in another form, the same libel that formed the subject of his prosecution and conviction, before sentence had been passed upon him. No person, I apprehend, who carefully considers the circumstances connected with that remarkable case, can avoid perceiving that the law, as it stands, is not strong enough to prevent the repetition of the same offence against it by the same party. The question for your Lordships, therefore, simply is, whether you will enable the Judges to inflict additional punishment in such a case as I have alluded to: whether your Lordships will not adopt a measure, proposing for its object the prevention of the repetition of so atrocious an offence, by parties whom a conviction and penalty, in the first instance, are insufficient to withhold from a second delinquency of the same kind.

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[SECOND SESSION OF THE SIXTH IMPERIAL PARLIAMENT.]

*January 25, 1821.*

#### QUEEN CAROLINE—COUNTY MEETINGS.

The Earl of CARNARVON presented a petition from the freeholders of Hampshire, praying that no farther proceedings might be taken in Parliament against Her Majesty Queen Caroline, and observed that the most strenuous efforts had been made by persons holding official situations, and also possessed of seats in that House, to prevent the assemblage of the meeting at which the petition had been agreed to. They had put forth a counter-requisition, stating that they had already sent an Address to the King, which rendered any further expression of the sentiments of the county unnecessary.

*THE DUKE OF WELLINGTON* said :

My Lords, I must suppose that the noble Earl who has presented that petition from the county of Hants alluded to me in the observations which he has just made, as one of those who signed the counter-requisition in question. Now I did not sign that counter-requisition, my Lords; and the reason of my refusal so to do was, that, having the honor to be Lord Lieutenant of the county,

and being, moreover, a member of His Majesty's Government, I considered that it would be improper for me, under such circumstances, to give my signature to such a paper. I must add, however, that I entirely concurred, my Lords, with those who signed the counter-requisition, as to the impropriety of assembling the county on the occasion to which that requisition referred. As an Address with 9000 signatures attached to it had been already presented to His Majesty from the county of Hants, I considered that the opinions of the county had been already sufficiently expressed, and that it was not necessary to go through the farce of a county meeting. Then, my Lords, at the meeting which actually took place, subsequently to the getting up of the requisition, only one side was allowed to be heard. That member for the county whose views upon the subject happened to be different from those of the requisitionists, attended, and wished to deliver his sentiments, but he could not procure a hearing, and was compelled to desist.

The Marquis of LANSDOWNE had heard with astonishment the reproachful term 'farce' applied by the noble Duke to the exercise of one of the most valuable rights of the subject.

*THE DUKE OF WELLINGTON* said :

I think it is proper I should remind your Lordships that I did not state that the county had been called together before, but I gave it as my opinion that its sentiments had been sufficiently expressed in an Address which had been publicly circulated and signed. With respect to the word 'farce,' I certainly, my Lords, did not use it out of disrespect to county meetings generally. I certainly do not view them with any disapprobation, when so conducted that all sides can be heard: but when they are called by one party only, and when every man who may wish to say anything in opposition to the opinions of that side or party has first to ask the protection of some noble Lord, or some other person who may happen to be popular with it, in order to obtain a hearing, I do not conceive that such a meeting expresses the sentiments of the county. I am quite willing to allow that county meetings, if properly regulated, present a fair constitutional mode of taking the sense of the county; but, my Lords, this cannot be so when they are attended by a mob with the express purpose of supporting one side, and one side exclusively. The fact is, as I stated before, that the county member was not heard at this meeting.

[THIRD SESSION OF THE SEVENTH IMPERIAL PARLIAMENT.]

*February 9, 1822.*

### IRISH INSURRECTION BILL.

On the second reading of the Irish Insurrection Bill,

Lord HOLLAND said he was strongly opposed to the measure. He acknowledged that the state of the country demanded an immediate remedy, and to no one would he more willingly intrust extraordinary powers than to the present Lord Lieutenant of Ireland; but he would contend that the means proposed would not meet the evil. The presence of an adequate military force in districts where disturbances might be apprehended would be far more useful than the domiciliary visits of magistrates; these, indeed, and the other proposed measures, could not be carried into effect without the support of such a body of troops as would of itself insure the tranquillity of the country.

*THE DUKE OF WELLINGTON* spoke in the following terms:

My Lords, I do not rise to follow the noble Baron through all the details of the extensive question to which his speech was addressed. My object, my Lords, is principally to advert to the employment of the military force in Ireland. Let me first, however, remind a noble Baron who argued the question as if the now proposed measure were to be a permanent and universal one, that it goes only to enable the Lord Lieutenant to proclaim certain districts, in which it is found to be necessary that some prompt and powerful measures should be taken in order to repress those lawless acts of nocturnal outrage by which life and property are so recklessly violated in those parts of the country. For the absolute necessity for putting these districts under the operation of the law, your Lordships will concur with me in holding that the Lord Lieutenant is responsible; and I do hope that your Lordships will also agree with me in concluding that my noble relative at the head of the Irish Government, alive to that responsibility, will not allow it to be put in execution except where an imperative necessity shall demand its application.

And now, my Lords, with respect to the military force in Ireland, I must observe, in the first place, that the amount of force stationed there at the present period is nearly double that which was stationed there before the commencement of the late war. Indeed I may say that there is as large a force in Ireland as can well be employed there. It is true, my Lords, as the noble Baron has suggested, that the law now under discussion will demand the

aid of military force to carry it into execution ; but it is to be observed that the outrages the Irish Government are bound to repress are of two descriptions. There is in fact what I may designate a rebel force openly arrayed in the field ; and that description is of course to be met by force alone. In the other class of outrages we have to counteract, the lawless aggressions, we feel that the powers of the proposed Bill are necessary ; and those powers must be supported certainly by military aid in carrying the measure into execution. That military force alone cannot prevent these disorders is evident from the fact, that houses in the immediate vicinity of barracks where troops are stationed have been actually plundered. Such occurrences are not imputable, I assure your Lordships, to any want of vigilance on the part of the military, but are consequent on the nature of the country and the disposition of the population among whom the troops are stationed.

Sixty thousand men in Ireland would not alone be the best means of preventing depredation. The only certain means of preventing the repetition of such outrages is, my Lords, by prohibiting people from leaving their homes from sunset to sunrise, and by punishing them if they be found absent from their homes without being able, when examined, to assign adequate cause for such absence. But it may be said that the magistrates will require the aid of a military force for the performance of this duty. Certainly they cannot perform it alone ; but I do think that when a district is proclaimed there will always be force enough to take up those who shall be found transgressing these enactments. And I am prepared, my Lords, to contend that, if we had double our present amount of military force in Ireland, still the present law would be necessary to enable Government to deal with such individuals as I have described. Where a different kind of outrage is committed by parties in open insurrection, in such cases, of course, a different kind of remedy must be employed. In conclusion, your Lordships must allow me to repeat that the Lord Lieutenant, having called for those measures, will be responsible for their due execution ; and I have no doubt whatever but he will exercise the powers which you are now called on to give him with a discretion that shall merit the confidence of the country.

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[FOURTH SESSION OF THE SEVENTH IMPERIAL PARLIAMENT.]

*April 17, 1823.*

### NEGOTIATIONS RELATIVE TO SPAIN.

LORD KING understood that his noble friend (Earl Grey) had given notice of his intention to put some questions to the noble Earl opposite (Lord Liverpool) on the subject of the late negotiations between France and Spain. He felt justified, after reading the papers laid before their Lordships, in saying that His Majesty's Ministers had been completely duped.

EARL GREY alluded to a dispatch of the Duke of Wellington ; and such was his anxiety for the character and honor of the noble Duke, that he should be most happy if, on a minute examination of the dispatch, his Grace should be justified in the conduct he had pursued.

*THE DUKE OF WELLINGTON* said :

I beg to state, my Lords, in reference to the observations which have been made by a noble Earl and a noble Baron, in the course of this discussion, upon the conduct pursued by me at the Congress of Verona, that I referred, in my answers to the questions addressed to me on the part of the French Government, to the principle which your Lordships will remember to have been laid down by the late Secretary of State in a document dated in May, 1820. I allude to the principle of non-interference by this Government in the internal concerns of other States. I conceive it to be impossible, my Lords, to deny that this is the plain intention conveyed in the second paragraph of this paper, which commences with the following words :—‘ Without adverting to those principles which His Majesty's Government must always consider the rule of their conduct, in relation to the internal affairs of other countries,’ &c. But in fact, my Lords, this principle was carried by me still farther in the answer I gave upon receiving the dispatches which the allied Sovereigns had resolved to send to their Ministers at Madrid. In that answer I declared that ‘ to animadvert upon the internal transactions of an independent State, unless such transactions affect the essential interests of His Majesty's subjects, is inconsistent with those principles on which His Majesty has invariably acted on all questions relating to the internal concerns of other countries,’ &c.

Having stated thus much in reference to the observations which have fallen from noble Lords on the other side, I must be permitted to add that I really do not know how I could possibly have

expressed in stronger terms the opinions of the Government which I had the honor to represent on that occasion.

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*April 24, 1823.*

Lord ELLENBOROUGH brought forward his motion for an Address to His Majesty respecting the late negotiations at Verona. In these negotiations he considered that the Ministers had, whilst professing to follow the sound foreign policy of the late Marquis of Londonderry, in reality abandoned it, and had thereby sacrificed both the character and the interests of England. He deeply regretted to find that their Plenipotentiary was a noble and gallant Duke, whose former eminent services had so well deserved the gratitude of the country ; and he sincerely trusted that the noble Duke might be able to explain satisfactorily his share in these transactions. Yet he felt bound, upon the authority of the papers on the table, distinctly to accuse that noble Duke of treating his instructions as a dead letter, though perhaps in this course he was sanctioned by the Ministry ; and further with using language in the course of the negotiations altogether unworthy of the character of the great country whose representative he was ; and, stranger still, of actually justifying the formation of the French *Cordon Sanitaire* on the Spanish frontier, and its conversion into an Army of Observation ; a measure which the most ordinary regard for the rights of Spain as an independent State should have led him to remonstrate against in the very strongest terms.

The Earl of ABERDEEN defended the conduct of the noble Duke throughout these negotiations. He was sent to Verona to assist in preserving the peace of Europe, and he had steadily kept that object in view. Perhaps the noble Duke was not so fully convinced of the duplicity of France as some noble Lords ; but if he had been, his conduct would not have been different. He did not involve himself in an endless interchange of official notes, but he calmly stated to the French Ministers the dangers of the course they appeared bent on pursuing, and assured them of the strict neutrality which this country would observe. The noble Duke's language had been objected to as not sufficiently firm ; this was a most unfounded accusation, and noble Lords before they made it should recollect, that, if the dignity of this country demanded a certain tone, something also was due to the feelings of other independent States. The noble Duke had carried out his instructions in a candid and straightforward way, and the Ministry had given him those instructions because they would not lightly incur the responsibility of plunging the country again into war ; some other noble Lords might not have been so scrupulous.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, After the various observations which have fallen from noble Lords on the other side of the House, I feel myself called upon to rise, at this early period of the debate, in order to vindicate, with the permission of your Lordships, the part which I had the honor to take in the conferences at Verona.

I have, my Lords, in the first place to thank my noble friend behind me (the Earl of Aberdeen) for having urged with so much force and ability some of the topics on which assuredly my vindication will rest. On this occasion, my Lords, I stand before your Lordships not only as the individual who, on the part of his Majesty's Government, was charged with the duty of carrying on the negotiations at Verona, but also as a member of the Cabinet that drew up the instructions upon which those negotiations were conducted. And here I must call upon the noble Lords opposite, and ask them to state to me whether, at the commencement of these negotiations, they would have adopted measures of war or of neutrality for the basis of their future proceedings? As yet (your Lordships will have remarked) they have not declared whether they mean peace or war. Their argument would lead to the alternative of war, but they still seem to lean to pacific measures. I call upon them, therefore, to adopt the one line or the other. The Government, however, of which I had the honor of forming a part, determined on preserving a strict neutrality. My Lords, they sent me to Verona with instructions to that effect; and, in conformity with the spirit of these instructions, I entered upon the negotiations, the merits of which your Lordships are this evening assembled to discuss. With such instructions, my Lords, I entered into conferences with the Ministers of the other Powers. Into the details of these conferences I shall not enter at any length. Indeed it will not be my duty, my Lords, to do so on the present occasion. His Majesty's Government have furnished the House with copies of such parts of them as it thought necessary for the information of your Lordships; and upon these alone I shall be content, my Lords, to rest my defence, merely premising that the arguments which I employed at Verona were not addressed to the British public, or to a British Parliament, but to the Ministers of powerful and independent States.

I shall now, my Lords, proceed to the charges which have been brought against me. I have been blamed for not having placed in a more prominent point of view the principles laid down in a paper by the late Marquis of Londonderry in 1821. Now I shall refer to the papers themselves already before your Lordships as affording a decisive refutation of the charge. In those it will be seen that I allude to that very note of Lord Londonderry's on three or four distinct occasions; although, in point of fact, it was really

very immaterial whether I had done so or not, because the principles which that state paper contained had never been admitted by any one of the Allied Powers. But, my Lords, I was not sent to Verona to argue the soundness or correctness of those principles, but to refuse, on the part of the British Government, all interference of whatsoever kind in the internal affairs of Spain. That was the principle I was directed to enforce; and upon that principle I stood, from first to last, during the whole course of the negotiations; and, in like manner, from first to last, I endeavoured to dissuade the Allied Powers from interfering in them, by urging upon their consideration, at one time, those difficulties which my own experience in Spain suggested to me that they must meet, if they persisted in such a design; and at another, by pointing out the embarrassments which that design would be likely to create to the French Government, should that Government pertinaciously determine to carry it into execution.

Another view, I find, has also been taken of my conduct at Verona. At the time I went to the Congress which was held there, the French Government offered to the consideration of the Allied Powers three propositions; all of which were declared by it to rest upon the same ground of defensive operations. It has been stated, my Lords, that by these propositions I have allowed myself to be completely duped. That statement I beg leave most positively to deny. If noble Lords would only take the trouble of reading over the papers which have been laid on the Table, they would there discover, not only that I had foreseen, but that the Government at home had also foreseen, the probability of the French Cabinet resorting to offensive operations. But allow me to ask this question of your Lordships. Assuming, even, that such had been the case, was it my duty to go and insult the Sovereigns and their Ministers, who formed that Congress, by telling them that I disbelieved the grounds on which they had stated their readiness to enter into the discussion in question? What, my Lords! was it my business, wishing, as I fervently did, to preserve tranquillity in Europe, to seek an occasion of bringing forward topics, the canvassing of which, when so brought forward, must excite difference of opinion, at least, if not the greatest degree of irritability? Was it my business, my Lords, acting, as I then did, almost in the capacity of a mediator, to employ arguments of menace and of force; arguments which the noble Lords who have

taken the objection well know that I was by no means instructed to support?

My Lords, I am thankful to the noble Baron who opened this debate, and to the noble Lords opposite who have followed on the same side, for the desire which they have done me the honor to express, that I might come out of this discussion with an untainted reputation. But I must be allowed to say, that I should have felt more confidence than I can now feel in the sincerity of that desire, if I had detected in those noble Lords no inclination to pervert and misquote and misrepresent my language, and to attribute to it meanings which, as I contend, it does not naturally bear; and which meanings, even if it did bear them, they must have been quite certain that language was never intended by me to convey. The first of the misrepresentations of which I complain was comprised in a charge that was brought against me by the noble Baron who opened this discussion. That noble Baron has accused me of disobeying the orders which I had received from His Majesty's Government, because, in the note which I delivered in to the Allied Powers on the 30th October, I did not, it seems, fully state the instruction which I had received from Mr. Canning on the 27th September. That instruction was of this nature: 'If there be a determined project to interfere by force or by menace in the present struggle in Spain, I am to instruct your Grace at once frankly and peremptorily to declare, that to any such interference, come what may, His Majesty will not be a party.'

Let me here, my Lords, ask whether, at the period of my delivering in the note in question, there was any reason to believe that there was any determined project in agitation to interfere by force and menace in the affairs of Spain? At that period I was asked to give my opinion upon three propositions of a defensive nature, which had been made by the French Government; and I must say, that no appearance of force or menace was to be found in those propositions. As soon as the disposition was evinced to interfere by menace and force of arms in the affairs of Spain, that very moment, my Lords, I declared that to such an interference the King my master would be no party whatever. Nay, more; I declared, without reserve, His Majesty's opinion upon the subject of interference with independent nations, precisely in the same terms in which it had been stated in the dispatch of Lord Londonderry. I conveyed that declaration to the several Foreign

Ministers in the strongest and most energetic language that I could use.

My language was this :—

‘But His Majesty’s Government are of opinion that to animadvert upon the internal transactions of an independent State, unless such transactions affect the essential interests of His Majesty’s subjects, is inconsistent with those principles on which His Majesty has invariably acted in all questions relating to the internal concerns of other countries ; that such animadversions, if made, must involve His Majesty in serious responsibility if they should produce any effect, and must irritate if they did not ; and if addressed, as proposed, to the Spanish Government, are likely to be injurious to the best interests of Spain, and to produce the worst consequences upon the probable discussions between that country and France. The King’s Government must therefore decline to advise His Majesty to hold a common language with his allies on this occasion.’

Surely noble Lords, after reading this extract from the Minute of the 20th of November, will acquit me of the charge of disobedience to the orders which were transmitted to me by the Cabinet at home.

I come next, my Lords, to the censures which have been bestowed upon me, and pretty lavishly too, for the remarks I have made relative to the French Army of Observation. Now, I would ask, whether any of your Lordships is prepared to dispute that France had a right to assemble such an army, when a civil war was raging along the whole length of her southern frontier, and when repeated inroads were being made into her territory by each of the two contending factions ? Yet this, my Lords, is the substance of all that was contained in my note. Your Lordships shall hear it.

‘Considering that a civil war exists in the whole extent of the frontier which separates the two Kingdoms, that hostile armies are in movement, and in operation in every part of Spain, and that there is not a town or village on the French frontier which is not liable to insult and injury, there is no person who must not approve of the precaution which His Most Christian Majesty has taken in forming a Corps of Observation for the protection of the frontier and for the preservation of the tranquillity of his people.’

The noble Baron, it is true, quoted this portion of my note ; but

he forgot, by some accident or other, I must presume, to advert to the very next paragraph, which runs thus :—

‘His Britannic Majesty sincerely wishes that this measure may be effectual in attaining the objects for which it is calculated ; and that the wisdom of the French Government will have induced them to have explained it at Madrid in such terms as will satisfy the Government of His Catholic Majesty of its necessity.’

I fairly own, my Lords, that it does appear to me most extraordinary that I should be found fault with on this point ; and especially by those who are contending that the invasion of Spain by France rendered it necessary that we should put forth a large naval armament to watch the proceedings of France in that country, and to protect our own interests from any danger to which those proceedings might, possibly, expose them. My Lords, in the representations which I made on this occasion, I took care not to fail in that respect which we must all of us acknowledge to be due to the illustrious individuals who formed part of the Congress at Verona ; but, at the same time, I also took care not to fail in my duty to my country by any relaxation in the language of my representations ; which were made in the fullest, the fairest, and the strongest terms that my mind could suggest to me. I believe, in truth, that if noble Lords would be so kind as to put themselves to the trouble of instituting inquiries among individuals who were present and in attendance at the Congress, they would learn that there was no deficiency on my part in making the strongest remonstrances and representations as to the intentions of the British Government ; that, so far from this being the case, I went, upon every point, to the full length of my instructions ; and, indeed, I went as far as it was possible for me to go without giving offence to the different Powers with whom we were then in amity and alliance.

It has been, I find, a subject of animadversion with those who have canvassed my conduct in these negotiations that I should have dispatched Lord FitzRoy Somerset to Madrid with a Memorandum of the changes which I certainly did think might, with advantage, be made in the Spanish Constitution. I am prepared, my Lords, to abide by the opinions embodied in that Memorandum. I do think that even the noble Baron himself will allow that some changes in it might be very fairly admitted ; and that the object of my Memorandum is so clear and explicit as to answer of itself

all the various charges which have been brought against it. I will, with your Lordships' permission, read the paper.

*Memorandum of the Duke of Wellington for Lord FitzRoy Somerset.*

' London, January 6, 1823.

' It is important to make the Spaniards feel that, a King being necessary for the Government of their country, and a part of their system, as established by themselves, it follows, as a matter of equal necessity, that the powers and prerogatives assigned to the King in the system should be such as to enable him to perform his duties, and such as in reason a King ought to be satisfied with.

' If the situation of the King is not what it ought to be ; if he has not the power to protect himself, and those employed under him, in the performance of their duty in the service of the public ; and if the King has not reason to be satisfied that the power allotted to him by the law is sufficient, the country will never be in a state of tranquillity, be the system of Government what it may.

' There will be perpetual successive Royalist insurrections in one part of the country or the other, and the King and his Government will be objects of never-ceasing jealousy and distrust.

' The family connexion between His Catholic Majesty and the King of France, and the interest which the latter naturally feels for the welfare of the former, will occasion a perpetual irritation between the two countries, so long as the situation of the King in Spain is not what it ought to be, and, it may be expected, will, sooner or later, occasion war, and the invasion of the weaker country.

' Thus, then, those Spaniards who really desire the peace and welfare of their country, must look to an alteration of their Constitution, which shall have for its object to give the King the power of executing his office. I confess that I do not see any objection to this alteration, either in the antecedent conduct of the King, or in the apprehension that His Catholic Majesty will abuse the power thus confided to him. The King will feel the advantages of the position in which he shall find himself, and will have no motive for wishing to overthrow the system established, particularly if the alteration is made in concert with him ; and moreover, the spirit of the people, and the exertions of those individuals who have prevented the existing system from being over-



thrown, will preserve that to be established even though the King should be desirous of overthrowing it by the abuse of the power intrusted to him.

‘This will be the case, particularly if the proposed alterations of the system are concerted with the King.

‘Indeed no other mode of making those alterations can have the desired effect ; as, if they are not made in concert with the King, His Catholic Majesty will not cordially carry into execution the system proposed ; and both King and people being dissatisfied, there will still be the same causes for internal disturbance and for external war as exist at present. The concert with the King in the alterations must be a real one ; and the King must be satisfied that the Constitution, as altered, will secure the foundations of his power over the executive Government, and will give him the means of protecting himself, his family, and his servants.

‘Neither do I see any reason for deferring to make these alterations in the recent transactions of Foreign Powers. Those transactions are all professedly defensive. France professes, by her Army of Observation, to be defensive, and declares that she will not pass the frontier excepting on the occurrence of certain cases. The alterations of the Constitution, on the principles proposed, would render those cases so improbable, that the continuance of the Army of Observation would be an useless expense, and there is no doubt that it would be immediately withdrawn.

‘Then another advantage which would result from this alteration in aid of internal tranquillity is, that France would, most probably, immediately adopt some efficient measure to prevent the assembly of the Royalists within the French frontier.

‘All Spaniards who pass the frontier might be ordered to reside at such a distance from the frontier as to render their intrigues or their operations within the Spanish frontier nearly impossible ; and thus the asylum given in France to persons of this description would not be inconsistent with the peace and tranquillity of Spain.

‘But this is not all. The Spaniards must see that all the sources of the prosperity of their country are nearly destroyed, and that the very foundations of social order and government are in a state of risk. There is no trade, no private or public revenue ; the national property cannot be sold ; the interest of the national debt cannot be paid, nor can the army or any of the public servants or establishments ; and no money can be borrowed.

‘I happen to know that the principal monied people in Europe will not lend their money to Spain till they shall see a system prevail in that country which shall afford some hope of the re-establishment and permanence of peace and good order.

‘If all this be true; if it be true, besides, that the best chance that Spain has of coming to some arrangement with her colonies is to be found in some settlement of her internal dissensions and distractions, it is impossible that any reasonable Spaniard can doubt that the time is come to effect those alterations which the common sense of mankind points out to be necessary.’

I must again contend, my Lords, that this Memorandum does not contain, from beginning to end, a single syllable which can harm my reputation, seeing that its object throughout is to induce the Spaniards to make some change in the Constitution in order to avert the evils which must inevitably result from a ruinous civil war, and, if that be possible, a still more ruinous foreign invasion.

Your Lordships will give me leave, in conclusion, to add that I could not allow this debate to proceed without, at this stage of it, submitting these observations to you, and declaring that upon them I rest my defence, not only before this great country, but before Europe and before the civilized world.

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[SIXTH SESSION OF THE SEVENTH IMPERIAL PARLIAMENT.]

*March 7, 1825.*

### SPRING GUNS.

Lord SUFFIELD having moved that the House resolve itself into Committee on the Bill to make the setting of spring-guns for the protection of game illegal,

*THE DUKE OF WELLINGTON* said :

I think, my Lords, that the principle upon which the Bill of the noble Baron is brought in, if rightly followed up, would apply to enclosures of all descriptions. If spring guns are not to be employed for the preservation of game, I cannot see why they should be allowed to be set for the protection of roses or the protection of apples. I shall, therefore, object to this Bill, unless it be extended to all other property as well as to game. With

regard to accidents occasioned by spring guns, I must express my belief that very few of them really occur ; and from all I have heard and observed on the subject I am inclined to think that the two cases which were alluded to the other day by the noble Lord who introduced this Bill are about the only two cases of the kind that can be adduced. The effect of setting spring guns has been, I am disposed to think, the prevention of poaching, and not the endangering of human life.

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[SEVENTH SESSION OF THE SEVENTH IMPERIAL PARLIAMENT.]

December 12, 1826.

### THE AFFAIRS OF PORTUGAL.

Earl BATHURST, in moving an Address on the affairs of Portugal, stated the negotiations which had taken place between Don Pedro and Don Miguel, relative to the abdication of the crown of Portugal by the former, and the grant of a Constitution ; and maintained that the support given by the Spanish Government to disaffected Portuguese troops who had assembled on the frontier and afterwards invaded Portugal, constituted the *casus fœderis* provided for by the Treaties between England and Portugal of 1661 and 1709, and rendered it imperative that the military aid which the Princess Regent had recently demanded of this country should be immediately afforded.

*THE DUKE OF WELLINGTON* spoke in the following terms :

I do not rise, my Lords, on the present occasion, for the purpose of offering any explanation as to the cause of the British Government not having, at an earlier period, taken the course which we now propose to adopt. Such explanation I deem to be altogether unnecessary. On the contrary, I may at once apprize your Lordships that it was earnestly desired by His Majesty's Government to put off, to the latest moment at which such negotiation could be made available, that course which your Lordships have this evening heard proposed in the speech of my noble friend. On this branch of the question before us I do not feel that it will be necessary for me to dwell ; but I hope that it may be permitted to me, who had the honor during several consecutive years, as your Lordships are aware, of directing the resources of this country against the common enemy in the Peninsula, to state my own opinion that the perfidious acts of aggression on Portugal ought rather to be attributed to the servants of the Spanish Go-

vernment than to that Government itself. They ought in my opinion to be looked upon as the acts of the Captains General of Provinces, and even of the Ministers of the King of Spain, rather than as acts which had been ordered or advised by His Catholic Majesty. Be they attributable, however, to whomsoever they may, I fully concur, my Lords, in the measures which are intended to be taken with a view to repress them.

My Lords, I am bound to declare that it is impossible for me to see two armies assembled on both sides of the Duero and the Guadiana, busied in preparations for invasion, and, indeed, actually violating the territory of Portugal; I say, my Lords, it is impossible for me to see all this, and not to believe these armaments are brought together with the connivance and concurrence of the authorities of the countries in which they have been formed and organized. Their aggressions, it appears to me, make out a *casus fœderis*, under the treaties which have been cited to your Lordships by the noble Earl (Bathurst); and that circumstance alone, I take it, would afford a sufficient justification for our interference. But though this *casus fœderis* exists, I do hope, my Lords, that the means which we have resorted to will have the effect of bringing His Majesty the King of Spain to that sense of what is due to himself and to his own dignity, which may prevent him from allowing any aggression on the territories of his neighbour, our ancient and near ally.

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[FIRST SESSION OF THE EIGHTH IMPERIAL PARLIAMENT.]\*

May 2, 1827.

#### ADMINISTRATION OF MR. CANNING.

Earl GROSVENOR, in presenting some petitions in favour of the Roman Catholic claims, expressed his hope that the cause of the petitioners would be benefited by the recent change in the Administration.

Lord ELLENBOROUGH, remarking that several noble Lords who formerly were members of the Government were so no longer, conceived that they would readily embrace the present opportunity of explaining the circumstances of their resignations.

The Earl of ELDON explained that a conscientious difference of opinion with

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\* On the death of H.R.H. the Duke of York, the Duke of Wellington was appointed Commander-in-Chief, 22nd January, 1827.

the present Premier (Mr. Canning) on the subject of the claims of the Roman Catholics had obliged him to tender his resignation to His Majesty.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, I do not intend to trouble your Lordships with a discussion on the subject of this petition, or to dispute with the noble Earl (Grosvenor) whether the petitioners seeking for further concessions to the Roman Catholics have chosen the time most propitious to the prayer of their petition, considering that the Administration are favorably disposed to grant such concessions ; but my object in claiming your Lordship's attention is, to answer the call of the noble Baron on my right (Ellenborough).

There is no man more sensible than I am that the House of Lords have nothing to say to the changes which may take place in His Majesty's Councils. It is His Majesty's prerogative to appoint his own Ministers, and to change them as he pleases ; and the House of Lords cannot take into consideration the special circumstances under which such changes have been made, except in particular cases, in which an Administration has been removed in consequence of an Address from this House. I have, therefore, to apologise to your Lordships for taking up your time upon this subject, for which my only excuse is the manner in which I have been treated by the corrupt press, in the pay of the Government.

I do not mean to attribute this misconduct to the noble Lords personally (the Ministers sitting in the House) ; but the fact is certain, that I have been accused, in these recent transactions, of conspiracy, combination, dictation to my Sovereign, and nearly every crime, short of high treason, of which a subject could be guilty ; and I should be more than man if I could resist availing myself of the opportunity of justifying myself which the question of the noble Baron has given me.

My Lords, my conduct has been called in question in two respects ; first, my quitting the Cabinet ; secondly, my resignation of the command of the Army. I do not consider that I have any right to reveal anything that ever passed in conversation with His Majesty, or in his Councils ; but fortunately I can elucidate my conduct without making such disclosures ; and without disclosing any fact mentioned to me in conversation which was not likewise mentioned to others. I must trouble your Lordships with some details upon this subject ; but your Lordships may rely upon it that I will detain you as short a time as possible.

On the evening of the 10th of April I received from the Right Honorable gentleman now at the head of His Majesty's Councils a letter, which I am about to read to the House.

'MY DEAR DUKE OF WELLINGTON,

' Foreign Office, April 10, 6 P.M. 1827.

'The King has, at an audience, from which I am just returned, been graciously pleased to signify to me His Majesty's commands to lay before His Majesty, with as little loss of time as possible, a plan of arrangements for the reconstruction of the Administration. In executing these commands it will be as much my own wish, as it is my duty to His Majesty, to adhere to the principles on which Lord Liverpool's Government has so long acted together. I need not add how essentially the accomplishment must depend upon your Grace's continuing a member of the Cabinet.

'Ever, my dear Duke of Wellington,

'Your Grace's sincere and faithful servant,

'To His Grace the Duke of Wellington.'

'GEORGE CANNING.'

I beg your Lordships will observe, that this letter does not state of whom it was intended that the proposed Administration should be formed, although I have since learned that that information was conveyed to my colleagues; nor who was to be at the head of the Government; nor was I invited, as others were, to receive further explanations, nor referred to anybody who could give such; nor indeed did I consider the invitation that I should belong to the Cabinet to be conveyed in those terms to which I had been accustomed in my constant intercourse with the Right Honorable gentleman up to that moment, nor to have been calculated to induce me to continue in the Administration about to be formed. I was determined, however, that I would not allow such considerations to influence my answer; and I wrote to the Right Honorable gentleman, on the same night, what I am about to read to the House.

'MY DEAR MR. CANNING,

'London, April 10, 1827.

'I have received your letter of this evening, informing me that the King had desired you to lay before His Majesty a plan for the reconstruction of the Administration; and that, in executing these commands, it was your wish to adhere to the principles on which Lord Liverpool's Government had so long acted together. I anxiously desire to be able to serve His Majesty, as I have done hitherto in his Cabinet, with the same colleagues. But before I can give an answer to your obliging proposition, I should wish to know who the person is whom you intend to propose to His Majesty as the head of the Government?

'Ever, my dear Mr. Canning, yours most sincerely,

'The Right Hon. G. Canning.'

'WELLINGTON.'

The House will observe that I expressed my anxious desire to form part of a Cabinet with 'the same colleagues,' the Right Honorable gentleman having omitted all mention of colleagues in his letter to me; but that I postponed to give my answer to what I termed his 'obliging proposition' (although I think it was scarcely an invitation) till I should learn the name of the person intended to be recommended by the Right Honorable gentleman to His Majesty as the head of the Administration. To this note the Right Honorable gentleman wrote me, on the afternoon of the 11th, the answer which I am about to read to the House.

'MY DEAR DUKE OF WELLINGTON,

' Foreign Office, April 11, 1827.

'I believed it to be so generally understood that the King usually intrusts the formation of an Administration to the individual whom it is His Majesty's gracious intention to place at the head of it, that it did not occur to me, when I communicated to your Grace yesterday the commands which I had just received from His Majesty, to add, that, in the present instance, His Majesty does not intend to depart from the usual course of proceeding on such occasions. I am sorry to have delayed some hours this answer to your Grace's letter; but from the nature of the subject, I did not like to forward it without having previously submitted it (together with your Grace's letter) to His Majesty.

' Ever, my dear Duke of Wellington,

' Your Grace's sincere and faithful servant,

' His Grace the Duke of Wellington.'

' GEORGE CANNING.

I will postpone my observations upon this answer for a few minutes, and I will only request the House to remark here, that it was not calculated to remove the impression which the Right Honorable gentleman's first letter had made upon my mind; namely, that he did not wish me to belong to the Cabinet.

However, as the House will observe from my reply, that impression was not the reason which influenced my conduct in desiring to retire from the Cabinet; nor did that impression, or the tone and temper of the Right Honorable gentleman's letters to me, influence the tone and temper of my answers to the Right Honorable gentleman. This is what I wrote to him, in answer to his letter of the 11th.

' MY DEAR MR. CANNING,

' London, April 11, 1827.

'I have received your letter of this day; and I did not understand the one of yesterday evening as you have now explained it to me. I understood from yourself that you had had in contemplation another arrangement; and I do not believe that the practice to which you refer has been so invariable as to

enable me to affix a meaning to your letter which its words did not in my opinion convey. I trust that you will have experienced no inconvenience from the delay of this answer, which I assure you has been occasioned by my desire to discover a mode by which I could continue united with my recent colleagues. I sincerely wish that I could bring my mind to the conclusion that, with the best intentions on your part, your Government could be conducted practically on the principles of that of Lord Liverpool ; that it would be generally so considered ; or that it would be adequate to meet our difficulties in a manner satisfactory to the King, or conducive to the interest of the country. As, however, I am convinced that these principles must be abandoned eventually ; that all our measures would be viewed with suspicion by the usual supporters of the Government ; that I could do no good in the Cabinet ; and that at last I should be obliged to separate myself from it, at the moment at which such separation would be more inconvenient to the King's service than it can be at present, I must beg you to request His Majesty to excuse me from belonging to his Councils.

‘ Ever, my dear Mr. Canning, yours most sincerely,

‘ The Right Hon. G. Canning.’

‘ WELLINGTON.’

I will here leave the question of my retirement from the Cabinet. I have no objection, if noble Lords choose, to discuss all the reasons stated in this letter ; but I believe it is better to avoid such discussion. I will, however, observe, that the events which have occurred in the short space of time which has elapsed since the termination of this correspondence will tend to show that I did not form an incorrect judgment of the matters described in my letter of the 11th April ; and I am much mistaken if experience does not prove hereafter that I was quite right.

But before I go into the discussion of my reasons for resigning the command of the Army, I will address a few words to your Lordships upon the charges which have been made against me.

I am accused of having deserted and abandoned my Sovereign. My Lords, I have always considered that the most important of all the acts which the Sovereign of this country has to perform is the choice of his Ministers ; and most particularly the selection of that person who is to fill the office of First Minister.

In making this choice the Sovereign determines upon what principle of policy his domestic government or his foreign relations are to be conducted ; and he chooses the men to administer his government whose opinions are consistent with those, according to which His Majesty has decided that the policy of the Government shall be guided.

I will now apply this principle to the case which has recently



occurred; and I will suppose that His Majesty has selected a gentleman to be his First Minister who differs in opinion from His Majesty upon an important question of domestic policy, such as the question of further concession to the Roman Catholics; and that I, being called to His Majesty's Councils, agree in opinion with His Majesty, but differ from his Minister. My Lords, in these cases there can be no secret understandings in this country. Men must act openly and fairly, whether in Parliament or in the Cabinet. His Majesty and the country would look to me, and to those in the Cabinet who should entertain the same opinions as me, that the acts of the Government should be consistent with its professed policy; whereas I should find those acts daily leading to a different result. I beg your Lordships will refer to what the Right Honorable gentleman himself (Mr. Canning) said, on a former occasion, of the nature of the preponderating influence of a First Minister in such questions, and particularly in this question of domestic policy; and to observe the arguments of the noble Lord (Grosvenor) in the commencement of this discussion, which had for their object to prove to your Lordships that nothing ought to be done by your Lordships or the public upon the Roman Catholic question at the present moment; because the concession of everything was certain, in consequence only of the nomination of the Right Honorable gentleman as First Minister.

While adverting to this part of the subject, I beg leave to suggest to your Lordships an important distinction between Lord Liverpool and the Right Honorable gentleman. The object of Lord Liverpool's policy was not to take anything from the Roman Catholics, but to govern the country fairly and impartially, according to the existing laws. That of the Right Honorable gentleman (who, it must be remembered, is the most able and active of all the partisans of the other side of the question) is, to make an important alteration of the laws. The action of the two systems cannot be compared. Lord Liverpool might act impartially; and, composed as his Cabinet was, he was under the necessity of so acting, even if it could be supposed that his desire was to act otherwise. But the influence of the Right Honorable gentleman's Government must have the effect, even if not so desired by him, of forwarding his own opinions and views of policy, notwithstanding his professions of an adherence to the policy of Lord Liverpool's Government.

I would ask, then, how was it possible for me to go into the Cabinet, and give the Right Honorable gentleman that fair confidence and support which, as head of the Government, he would have had a right to claim from me, when I knew that the necessary result of his system must be to bring the Government to that state which I think, and which His Majesty is supposed to think, one of peril? His Majesty, however, thought proper to appoint the Right Honorable gentleman to be his Minister, and I had no resource but to withdraw.

But it has been stated that I withdrew myself because His Majesty would not submit to my dictation and threats in case I should not, myself, be appointed his Minister; and this accusation is most curiously coupled with another, namely, that His Majesty offered to make me his Minister, and that I refused.

My Lords, those know but little of His Majesty who suppose that any man can dare to dictate to him, much less to threaten him. My Lords, His Majesty never offered to make me his Minister. His Majesty knew, as well as I did, that I was and must be totally out of the question; and I so considered myself, and so stated myself repeatedly; and I was no party to any suggestion that I should be the person to fill the vacancy occasioned by the misfortune which we all deplore.

Do your Lordships suppose that, having raised myself to the highest rank in the profession which I had previously followed from my youth, that, having been appointed to the highest situation in that profession (for I may say I raised myself, without indicating any desire to underrate my obligations to my noble, gallant friends, the general officers of the army, by whom I am surrounded, and, still less, those which I owe to His Majesty for his most gracious favor and kindness, I may safely say that His Majesty could not have placed me where I was if I had not rendered some service to the State deserving his approbation); I say, then, that, having raised myself to such a station in my profession, I could not be desirous of leaving it in order to seek to be appointed to be the head of the Government; a situation for which I am sensible that I am not qualified; and to which, moreover, neither His Majesty, nor the Right Honorable gentleman, nor any, wished to see me called.

Do your Lordships think it possible that I was not gratified by being restored to my old relations of command over my old friends and companions, and to have attained the power of recommending

them to His Majesty for the professional rewards of their services, after having passed my life in exciting and directing their exertions?

Does any man believe that I would give up such gratification, in order to be appointed to a station, to the duties of which I was unaccustomed, in which I was not wished, and for which I was not qualified? as it must be obvious to your Lordships that, not being in the habit of addressing your Lordships, I should have been found, besides other disqualifications, incapable of displaying as they ought to be displayed, or of defending the measures of Government as they ought to be defended in this House by the person thus honored by His Majesty's confidence. My Lords, I should have been worse than mad if I had thought of such a thing.

Then, my Lords, it is said, that I endeavored to attain this object by means of concert, conspiracy, and combination with others. My Lords, I assert that till I wrote to the Right Honorable gentleman the letter of the 11th of April, which I have read to your Lordships, no man knew what line I intended to follow. If I concerted, conspired, and combined with anybody, let it be said with whom.

There were thirteen of us in the Cabinet. The hand of Providence has deprived us of one; and there are six, including the Right Honorable gentleman himself, still remaining in the Cabinet. My Right Honorable friend, the member for the University of Oxford (Mr. Peel), is unanimously acquitted; but I would ask the noble Lords present whether they ever heard of anything like the acts with which we have been charged? There is my noble friend, the Chancellor of the Duchy (Lord Bexley), who resigned his office, and was afterwards induced to accept it again; did he ever hear of anything like conspiracy, and the other crimes with which we have been charged? If he has, I beg him to inform his present colleagues and the House of the facts. If he has not (and I know he has not), I call upon any man to come forward and say if he knows that such conspiracy or combination existed, and I will engage to prove that it is false that I ever was a party to such.

The other point to which I wish to draw your Lordships' attention is, my resignation of the command of the Army, which I conveyed to His Majesty in a letter, dated the 12th of April, from which I will now read to your Lordships the extract applicable to the subject.

‘Mr. Canning will, I doubt not, have submitted to your Majesty the letter which I have written to him in answer to the one announcing to me that he had been appointed by your Majesty to be at the head of your Government. I have frequently had occasion to express to your Majesty my most grateful acknowledgments for your Majesty’s most gracious favor and kindness towards me ; and your Majesty can now more easily conceive than I can express the pain and grief which I feel upon requesting your Majesty to excuse me from attendance in your Councils ; and in consequence thereof, and adverting to the tenor of the letters which I have received from your Majesty’s Minister, by your Majesty’s command, upon asking your Majesty’s permission to lay at your feet those offices which connect me with your Majesty’s Government.’

My Lords, I held two offices under His Majesty’s Government ; that of Commander in Chief and that of Master General of the Ordnance. Having declared to the Right Honorable gentleman that I could not serve in the Cabinet, presided over by him, my office of Master General of the Ordnance became vacant. I might still have continued to hold the office of Commander in Chief, notwithstanding the political circumstances, as set forth in my letter of the 11th, which separated me from the Councils of the Government. My illustrious and lamented predecessor in office had done so ; and I should have followed his example in this respect, as I had endeavored to do it in others. Indeed I never could see any reason why political differences of opinion should prevent me from commanding the Army at the Horse Guards more than they would an army in the field, if circumstances should render it necessary so to employ my services. But besides political circumstances, the tone and temper of the Right Honorable gentleman’s letters, and particularly of that of the 11th (which had been previously submitted to His Majesty, and was, therefore, a communication from the King), were of a nature to make it impossible for me to retain the command of the Army.

My Lords, I must trouble you with a short statement of the nature of the office of Commander in Chief ; and of its relations towards His Majesty on the one hand, and the Right Honorable gentleman on the other. The Commander in Chief must necessarily be daily in confidential relations with His Majesty on all points of the service. He must likewise be so with the person filling the situation now filled by the Right Honorable gentleman.

Although the Commander in Chief has nothing to say to the finance of the Army, yet there are questions under discussion every day respecting allowances to officers and soldiers, and expenses of every description, upon which the Right Honorable gentleman cannot decide in a satisfactory manner, unless after reference to the Commander in Chief.

But this is not all. If the Right Honorable gentleman wishes to reinforce or diminish the army in Portugal, or to recall it altogether, he must consult with the person holding the office of Commander in Chief.

In the same manner the reinforcement of the troops in any of His Majesty's possessions abroad or at home must be a matter of concert with the Commander in Chief; and the Right Honorable gentleman will find, when he comes to make up his Budget, that he must concert his arrangements with the Commander in Chief. How was it possible for me to consider that I was likely to possess the Right Honorable gentleman's confidence on any of these points, after receiving from him, in His Majesty's name, such a rebuke as was contained in his letter to me of the 11th?

But it has been stated by the Right Honorable gentleman's friends that I had given him cause of offence by my letter of the 10th, and had provoked his answer of the 11th; and it is but fair to consider that letter, and to see whether it did give the Right Honorable gentleman any ground to complain. That letter contained a clear distinct answer to the one which I had received from the Right Honorable gentleman, as far as I was enabled to give it, in the usual terms of my constant correspondence with the Right Honorable gentleman. I stated my anxious desire to remain in the Cabinet with 'my recent colleagues;' and for the purpose of receiving information, I asked who was to be at the head of the Government, in hopes that the information which I should receive might be such as to enable me to belong to the Cabinet.

I must here inform your Lordships, that in a conversation which I had with the Right Honorable gentleman, on the 2nd of April, he had explained to me, that, in case His Majesty should commission him to suggest arrangements for the reconstruction of the Administration, the plan which he had in contemplation was, to propose that the Right Honorable gentleman, late the Chancellor of the Exchequer,\* should be called to the House of Lords, and

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\* Mr. F. Robinson, afterwards Viscount Goderich.

be made First Lord of the Treasury; and in case the Right Honorable gentleman had, in answer to my letter of the 10th, informed me that he still had that plan in contemplation, it was my intention to suggest to him, and to endeavour to persuade him to adopt, one better calculated, in my opinion, to keep the Government united. Your Lordships will see, therefore, that the question asked in my letter of the 10th was fully justified, and fairly founded upon a communication made to me on the 2nd of April, by the Right Honorable gentleman himself. The question was fully justified likewise by former practice.

In the year 1812 a noble relation of mine (now Lord Lieutenant of Ireland) waited upon a noble Earl, now in this House (Grey), and a noble Lord (Grenville), whose absence on account of illness nobody laments more than I do, by command of His Majesty, then Prince Regent, with a view to consider of the formation of an Administration; and Lord Wellesley, in the course of the discussion upon that subject, declared that he considered himself merely as the instrument of executing the commands of His Royal Highness the Prince Regent on that occasion. He even went so far as to say, that he neither claimed nor desired for himself any share in the Administration. Upon that same occasion, the Right Honorable gentleman himself apprised Lord Liverpool, on the part of Lord Wellesley, that the Prince Regent had laid those commands on Lord Wellesley.

Subsequently in the same year, 1812, Lord Moira had the Prince Regent's instructions to take steps towards the formation of a new Ministry. It does not appear that Lord Moira, or the noble Earl, or the noble Baron, to whom he addressed himself, considered that he was to be the head of the Administration which he had a commission to form. In addressing this House on the 12th of June, his Lordship said, 'I came to the subject unfettered in every way; not an individual was named for a seal; and no place was pointed out even for myself.'

How then, my Lords, could I take it for granted that His Majesty had nominated the Right Honorable gentleman to be his First Minister, only because the Right Honorable gentleman informed me that His Majesty had signified to him his commands to lay before His Majesty a plan of arrangements for the reconstruction of the Administration?

It is obvious that I could not give the Right Honorable gentle-

man an answer to his proposition, that I should be one of the Cabinet, till I should ascertain who was to be the Prime Minister ; and the necessity of ascertaining this point was my only motive for asking the question.

I will now show from the best authority possible (that of the Right Honorable gentleman himself) that the question might be asked without offence.

On the 12th of May, 1812, Mr. Perceval having just then been assassinated, Lord Liverpool waited upon the Right Honorable gentleman, by command of His Majesty, then Prince Regent, to invite the Right Honorable gentleman to become a member of His Majesty's Councils. The first question, it appears from a Memorandum drawn by the Right Honorable gentleman himself, which the Right Honorable gentleman asked, was, 'Who is to be the First Lord of the Treasury?' and it does not appear that the noble Lord rebuked the Right Honorable gentleman for asking that question.

The negotiation failed for other reasons not worth discussing at present, except to observe, that the Right Honorable gentleman then thought that the influence of the head of the Government was likely to be paramount in the discussion of the Roman Catholic question. Surely, my Lords, I could not merit a rebuke for asking the Right Honorable gentleman, in 1827, the same question which he, under nearly similar circumstances, asked Lord Liverpool in 1812.

But, my Lords, there is another view of the case, which ought to be taken. Although I was rebuked on the 11th for asking this question on the 10th, and was told that the practice was so generally understood, that it did not occur to the Right Honorable gentleman to add that His Majesty did not intend to depart from the usual course of proceeding on such occasions, the fact is, that the Right Honorable gentleman was not appointed His Majesty's Minister till the afternoon of the 12th, according to what he has stated himself in another place.

Indeed, my Lords, it appears very clearly, from the Right Honorable gentleman's letter to me of the 11th, that, till he had laid my letter of the 10th before His Majesty, he had not been appointed his Minister. If he had, he might, without reference to his Majesty, have stated the fact with as much of rebuke as he might think proper to use. I cannot believe that the Right

Honorable gentleman laid my letter of the 10th, and his answer of the 11th, before His Majesty, in order to cover the rebuke, which this answer contained, with His Majesty's sacred name and protection. I say it unfeignedly, that I believe the Right Honorable gentleman is as incapable of doing so as I believe I am myself. My Lords, the conclusion is obvious: the step of laying these letters before His Majesty must have been taken, because in fact the Right Honorable gentleman was not His Majesty's Minister at the moment he received my question; as appears indeed quite clearly from his own statement in another place.

Upon the whole, then, I considered, when I received that letter of the 11th, that my situation, in relation both to His Majesty and the Right Honorable gentleman, was so altered, as that, not thinking it proper, for the reason stated in my letter of the 11th, to remain in the Cabinet, I did not think I could continue in command of the Army with advantage to His Majesty's service. If I was hasty in coming to this decision, or the decision was founded in error, I ought to have been informed. I had always been on the best terms of good will and confidence with all my colleagues; and I believe there was nobody who enjoyed more of the confidence, even of the Right Honorable gentleman himself, than I did. I would appeal to the noble Lords (the Ministers present) whether I ever made difficulties or ever acted otherwise than with a view to accommodate differences of opinion. Then, my Lords, if I took a hasty or intemperate view of this case, I ask them why they did not come forward and render me the service which I had, more than once, rendered to others, by representing to me that I was wrong?

Such a step has never been taken by them; and the reason is obvious: it did not suit the Right Honorable gentleman's views that I should remain in command of the Army, unless I should belong to his Cabinet.

I beg pardon for troubling your Lordships at such length upon a question personal to myself; and I return my best thanks for the attention with which you have listened to what I have had occasion to address to you.

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*May 14, 1827.*

### THANKS TO THE ARMY IN INDIA.

Viscount GODERICH, in proposing a vote of Thanks to the military and naval forces concerned in the late operations before Bhurtpore and in Ava, informed the House that it had fallen to his lot, at the end of the war, to be one of the individuals selected by the other House of Parliament to convey their Thanks to the great and illustrious Duke, whom all men thought it an honor to honor for his services to his country. He now looked for cordial support to his present motion from that eminent Commander, particularly as he could speak from personal experience of the difficulties and privations attendant on operations in those Eastern climes where his first great achievements had been performed.

*THE DUKE OF WELLINGTON* spoke in the following terms :

I do not mean, in addressing your Lordships on the present occasion, to enter upon those details which my noble friend has gone into so much at large, and with so much ability, in moving the Thanks of this House to the noble and gallant Officer Commanding in Chief, and the General officers, officers, and troops composing our army in India, for their distinguished services in the various operations to which the noble Viscount has alluded, and more especially in the attack upon and capture of Bhurtpore. But I hope, my Lords, it will not be deemed presumptuous in me to offer a few words to your Lordships, and particularly if your Lordships will bear in mind the relation in which I have the honor to stand to the officers and troops of that army. If I were actuated by no other motive for now addressing your Lordships, I should have been induced to do so by the kind remarks which have fallen from my noble friend, although I am sensible that in those remarks he has attributed to me much higher merit than my services, I fear, have deserved.

With respect, my Lords, to Bhurtpore, my noble friend has truly apprised you of the superstitious notion among the native population of the country, and the native garrison, which has hitherto invested that fortress with a character of impregnability. My noble friend has also informed your Lordships of the attack which was unsuccessfully made by us on the same fortress about 20 years ago. My Lords, it is only justice to the Governor-General of India to observe that he had assiduously prepared the way for the success which has attended Lord Combermere's assault upon it, and displayed the utmost anxiety that means adequate for this purpose should be placed at the Commander in Chief's disposal.

This is a meed of justice which I consider to be strictly due to the Governor General ; but I must also observe, that no time was lost in beginning the operations which these means were to facilitate. My noble and gallant friend, Lord Combermere, lost no time, in the first place, in joining the army in India after his arrival out there. In fact he travelled upwards of 1000 miles in 10 days, in order that he might be in a condition to commence his operations at a proper season. He did accordingly commence these operations instantly, and he carried them on with that vigour and ability which insured for them success. And he closed those operations, my Lords, by a military feat, of which I will say that it never was surpassed by any army upon any occasion.

With respect to the operations in Ava, I may be allowed to say that hitherto little more of that country has been known to us than its name. Even our Indian Government knew nothing of the climate of Ava ; nothing of the nature of its Government ; nothing of the character of its people. They knew nothing respecting its military force, or of any of those circumstances which would enable a man to form a plan of military operations, or to found any notion as to the most expedient course of proceeding to be adopted with a view to the carrying on of a war. In short, the Government knew absolutely nothing of the topography or the geography of the country. It was under these disadvantageous circumstances, my Lords, that Sir Archibald Campbell set out at the head of his army for Rangoon at the commencement of the rainy season ; and it is not therefore to be wondered at that the operations of that force should have excited so much anxiety and doubt as were entertained with regard to their termination. The army, as they advanced, discovered that every animal had been driven out of the country ; and the consequence was, that every man of the forces suffered great privations through the want of provisions. I can assure your Lordships that it is not possible adequately to describe to you the nature of those privations which were thus encountered by our troops, and which were seriously augmented by the destructive climate of the territories in which they were serving. All those privations, however, were endured ; all those difficulties were met by the officers and troops with the greatest cheerfulness ; and after vanquishing a numerous and determined enemy, they brought the contest to an end highly honorable to this country by that which I fervently hope may be destined to prove a lasting peace.

the measure which he had introduced, I thought that, if I understood my Right Honorable friend correctly, considering his great knowledge and experience on this subject, and the situation which he filled in His Majesty's Government, there could be no doubt as to the expediency of a measure recommended by him.

Now, my Lords, when my noble friend (Lord Goderich) said, upon seeing that letter, that it referred only to corn now in bond, I entreated my noble friend to read it again, and also to read over the clause which I then intended to propose; and the result accordingly was, that, when I did propose that clause, I did so under the firm belief that it had the approbation of both the noble Lord and of my Right Honorable friend. The subject, however, now comes before this House, the clause being submitted for your Lordships' approbation; and that clause will, it appears, be opposed by noble Lords with whom I had, as I imagined, been acting in concert in bringing it forward. My Lords, my object in proposing that clause has been to put a check upon the Warehousing system, and thereby prevent those frauds which are known to be practised in taking the averages. It is an opinion generally entertained by persons well acquainted with this subject, and by all those who have been examined as witnesses upon it, that it is impossible to prevent those practices to which I have alluded. Then what follows, my Lords, on those practices? A man commits a fraud in the averages; and having thereby raised the averages to that amount on which he has speculated, he comes to the King's warehouses and gets what he wants; thus effecting the object of his speculation through his own fraud. It is on this account that I am opposed, my Lords, to the Warehousing system. The checking that system is the only means I can perceive for putting a stop to these nefarious frauds upon the averages. But your Lordships will readily believe that it never was my intention that this clause should have the effect of putting an end to the Warehousing system altogether; still less did I intend that its effect should amount to a prohibition.

I do not feel called upon to offer any apology to your Lordships for having proposed the clause, which clause, having been now shewn to be inconsistent with the Bill itself, I do not feel myself warranted in pressing further. But, my Lords, although I feel myself thus precluded from pressing this clause as an amendment on the Bill, I can see no reason, I confess, why the Government

should not adopt the suggestion, and incorporate it as a part of the Bill in the other House.

If the noble Viscount will give any pledge to that effect, I will beg leave to withdraw this amendment altogether. I am quite convinced, my Lords, that something ought to be done without delay to check the existing vices of the Warehousing system. My noble friend has told your Lordships that that system had its origin in 1773. Now I have no objection to restore that system to what it was, my Lords, in 1791. My noble friend has also alluded to the strong recommendation which a similar measure then received from the Earl of Liverpool. But let your Lordships observe upon what a different basis that measure, as compared with the present, stood. In the year 1791 corn was not allowed to be warehoused here, my Lords, at all, except upon payment of a duty of 24*s.* per quarter up to a certain price; a middle duty up to another price; and 2*s.* 6*d.* to a third price. Corn was then allowed to be taken out of the warehouse, not only upon payment of the 24*s.*, I beg your Lordships to observe, and the middle or low duty, but also upon payment of the 2*s.* 6*d.*, for that was charged before it could be taken out of the warehouse. This continued to be the law from 1791 to 1814, when the duty was further raised. I contend, my Lords, that, by allowing the duty to be collected on corn in the usual way, the glut of the markets, which is so much apprehended by some noble Lords, would be effectually prevented.

Having now gone through this Bill to the best of my ability, I have only to add, that I have no intention of pressing my amendment. But when I say this, I do think, my Lords, that some measure of the same nature ought to be proposed by the Government; and certainly, if some pledge be given to me of a return on their part to the principle of the Bill of 1791, I shall be quite willing to withdraw my amendment altogether.

The amendment, however, was affirmed by a majority of 133 to 122.

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*June 25, 1827.*

#### THE WAREHOUSING CORN BILL.

Viscount GODERICH moved the second reading of this Bill, which he described as intended to apply to the foreign corn now in this country the improved legislation which it had been proposed to extend to future as well as

the measure which he had introduced, I thought that, if I understood my Right Honorable friend correctly, considering his great knowledge and experience on this subject, and the situation which he filled in His Majesty's Government, there could be no doubt as to the expediency of a measure recommended by him.

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The amendment, however, was affirmed by a majority of 133 to 122.

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*June 25, 1827.*

#### THE WAREHOUSING CORN BILL.

VISCOUNT GODERICH moved the second reading of this Bill, which he described as intended to apply to the foreign corn now in this country the improved legislation which it had been proposed to extend to future as well as

present supplies ; but that measure had been foiled by the success of the amendment of the noble Duke, an amendment which had originated in an entire misapprehension, on the noble Duke's part, of the views of the Right Hon. the President of the Board of Trade.

The Earl of MALMESBURY opposed the Bill as too much resembling the measure which had been abandoned. If foreign corn became necessary in consequence of scarcity, let the Government admit it on their own responsibility.

*THE DUKE OF WELLINGTON* spoke in the following terms :

I cannot agree, my Lords, with my noble friend, that it would be right to throw upon the Government the responsibility of admitting foreign corn for home consumption. On the contrary, I fully concur with His Majesty's Ministers in holding it to be expedient that some measure of the kind now proposed to your Lordships should be agreed to, after the disappointment which has been experienced as to that other measure which has not been carried. I am, therefore, disposed to give the present Bill my support ; more particularly, my Lords, as I consider it to be the same, in principle, with the measure I have just adverted to, with this additional advantage, that we have had the opportunity of ascertaining, by experiment, what would have been the effect of that measure, had it been carried ; at the same time that the present one is limited as to quantity, so as to prevent any injurious effects. Therefore, my Lords, under all the circumstances, I am of opinion that the present measure is advisable ; and I strongly recommend it to the adoption of your Lordships. I must be allowed, at the same time, to express my regret that it is not accompanied with that other Bill which has been before your Lordships and carried to so advanced a stage. Upon that subject I shall now only assure your Lordships that I never considered that what I did in any way really militated against the principle of the Bill I speak of ; and I will still contend that that principle might be carried into effect, even if the system of warehousing were not touched at all. His Majesty's Government, however, thought, it seems, that a system of prohibition was inconsistent with that principle ; although I will beg your Lordships to consider what is the difference, or whether the effect of a duty be not similar to that which His Majesty's Government contend against. If this be so, then, my Lords, prohibition has, in fact, existed for the whole period up to which corn was allowed to be imported for home consumption. It existed, clearly, in 1773, and again from 1791 to the year 1815, when what was done in the

way of interference was done by the imposition of a duty ; and the same thing might be again done, in such a manner as to afford satisfaction to the country. Under these circumstances, then, I shall consider noble Lords opposite to be, themselves, responsible for the loss of that Bill, which, it has been said, was lost by reason of my amendment being carried.

My Lords, I have been accused not only of proposing a clause which was inconsistent with the principle of that Bill, but of having done so from private and party motives. But I must say, my Lords, that if ever there was a man who proposed a measure, individually, and without any knowledge whether he would be supported in it or not, I am that person. I repeat, that I proposed that measure to the House, not only as believing that it would have the support of Government, but that it was actually the suggestion of one of the Ministers of the Crown. I do not mean to tell your Lordships that I did not, upon that point, labor under a mistake ; but if I did, I can assure your Lordships that I was so mistaken in common with a great many others, who, both before and since the proposition of that amendment, have read over the letters of the President of the Board of Trade, and who still attach to them the same meaning which I did, when I had the honor to propose the amendment to your Lordships. I should observe, too, that if that measure was really inconsistent with the principle of the Bill, it was not more so than others which have been admitted into it. My Lords, I think it right, also, to observe, that, during the discussion upon the subject, I endeavored to impress upon the Government the necessity of taking it out of my hands and of carrying it themselves. This I did, not only in the correspondence, some part of which I have before read to your Lordships, but by other communications, not only with the President of the Board of Trade, but with my noble friend, the noble Secretary of State, now present in his place.

With your Lordships' permission I will now read my letter of the 4th instant to the Right Honorable gentleman, together with his reply thereto.

‘ MY DEAR HUSKISSON,

• London, June 4, 1827.

‘ As you say that I misunderstood the meaning of your letter of the 24th, I must have done so. But I certainly never entertained a suspicion that I had misunderstood you ; and even now, after referring to my letter of the 24th to you, and examining your letter to me, I cannot but think that I



should have sought out for a difficulty if I had affixed to your letter the meaning which you state that you intended to convey.

‘I stated to you an evil, permanent in its nature, resulting from the operation of the Warehouse system or that of the proposed Corn Law; and I proposed a permanent remedy. In answer you stated very good reasons against what I had proposed; and you tell me that, “had my proposal been that no corn bonded after the passing of the present Bill should be allowed to be entered for home consumption till the average price had reached 66s., and that thenceforward all corn so bonded, or thereafter imported, should come under the regulations of the Bill, individually, you would not object to such a proviso;” and you add, “It” (this proviso) “would ensure that no quantity beyond that now in hand should be thrown upon the market, unless, in spite of that quantity, the price reached a level which might be fairly taken as an indication of our being in want of a further supply from abroad.”

‘It thus appears, then, that having stated to you a permanent evil, the existence of which is not denied, I was to consider the word “thenceforward” not in an unlimited sense, but applicable to time only, and having no reference to circumstances, notwithstanding what followed in the succeeding sentence of your letter; and I was to believe that you intended I should be satisfied, and that the public should be satisfied, with a temporary remedy for a permanent evil.

‘However, I am ready to admit that I did not understand your letter as you have now explained it; and you may rely upon it, that, if I could have entertained any doubt respecting your meaning, I should have gone to you or written to you again.

‘Lord Goderich must do me the justice to acknowledge that I put into his hands the proviso which I had drawn, together with your letter. He did not at first understand your letter; and he thought it related solely to corn now in bond; and I begged him to peruse it again. He did so; and he came to me and returned the papers, without saying a word. I concluded, therefore, that he concurred in the proposition which I certainly considered as suggested by you; and I made it to the Committee of the House of Lords, in the mode and at the time most likely to be of service to the Government, by preventing a division on a proposition of Lord Rosslyn’s, which had for its object to lay the duty upon corn upon introduction into warehouse.

‘I shall be sorry if this proviso should be inconvenient to the Government; and, I must add, that, if Lord Goderich had expressed to me a wish that I should delay to propose it till on the report, I should have done so.

‘In your letter of the 24th you spoke with doubt whether the measure proposed by you would occasion the rejection of the Bill. You write with more confidence on that which has been adopted by the Committee in the House of Lords in your letter received yesterday. But what do you say to the amendments agreed to by the Government in the House of Lords?

‘Surely the omission of the word (British) in the second clause, with a view that the Scotch, Irish, and foreign corn may be included in the averages, and the alteration of the term of the averages from one to six weeks, will make a material alteration of the duties, and must equally occasion the rejection of the Bill.

‘You will recollect my opinion upon the measure proposed by Lord Liverpool; to the principle of which, notwithstanding that opinion, I consider my-

self a party, and I have accordingly supported the Government in every division that has taken place in the House of Lords. I do not consider the amendments proposed by me to be at all contrary to the principle of Lord Liverpool's measure, which was, to protect home agriculture by the levy of a duty on foreign corn imported, and to regulate this duty by the price of corn in England, discovered by averages taken weekly, and not by six weeks' averages. Since Lord Liverpool's plan was formed and agreed upon, a Committee has sat in the House of Lords, before which it has been proved that nothing can prevent frauds in taking the averages, nor the abuse of the existing warehouse system, for the purpose of carrying into execution the objects of those frauds.

'The warehouse system, then, must be reformed; and as Lord Liverpool's principle might exist even if the warehouse system were abolished in relation to corn, or under whatever modification it may be allowed to continue, it is no departure from that principle to adopt a moderate prohibition, applicable only to corn in warehouse, as "the" modification.

'I declare that this impression is so strong upon my mind, and, considering the subject in all its bearings, it appeared to me that the proviso agreed to by the House of Lords so completely met the evil, and was so just towards all parties, that you must have calculated it exactly upon the "basis" of the price of 62s. the imperial quarter, and the expenses of carrying corn from the warehouses in Holland to this country.

'Believe me, &c.,

'WELLINGTON.'

To this letter, my Lords, I received a reply, which I will also take leave to read to the House.

'MY DEAR DUKE,

'Eatham, Petworth, 5th June, 1827.

'I have received by the post of this morning your letter of yesterday's date.

'I regret, on every account, that the proposition which I wished to convey in my letter of the 24th ult. was so stated as to lead to your misunderstanding my real meaning. So little did I, before last Saturday, contemplate any risk of having been misapprehended, that, when I received (whilst in the House of Commons, on Thursday evening) the enclosed note from Lord Goderich, I immediately sent him an explanation from thence to the same effect as that which I have since given to you. I am sure, if Lord Goderich is referred to, that he will do me the justice to confirm this statement.

'From the moment I was informed that you considered your amendment as originating in my suggestion, I was satisfied that there had been some misunderstanding; and as the nature of it is now cleared up, I will not trouble you with any controversial argument upon the true construction of the words which you have quoted from my letter of the 24th. The sentence (indeed the whole of that letter) was hastily written, and, I admit, might have been more clearly expressed; but when, in the latter part of that sentence, I state, "that the regulation to which I saw no objection would insure that no quantity" beyond "that now" in bond should be thrown upon the market, unless, in spite of "that quantity," the price reached a level (namely 66s.) which might fairly be taken as an indication of our "being in want of a further supply from

abroad," I must avow myself at a loss to reconcile the construction of words which appear to point to this meaning; namely, that the specific "quantity now" in bond should be protected against competition with "any further supply from abroad," until the average price at home should have reached 66s. ; with your proviso, which leaves the supply from abroad free "at all times" to come into the British market, without reference to any average price; whilst it locks up any wheat which may hereafter be "bonded in this country," up to the same price as that at which it was the drift of my proposition to keep foreign wheat locked up in the "warehouses abroad," until the "quantity now in our own warehouses" had been disposed of.

'How then could your amendment and my suggestion be convertible propositions?

'The real truth is, that what was uppermost in my mind, when I threw out this suggestion, was the inconvenience which might arise from letting into consumption further supplies of wheat, hereafter to arrive, until the greatest part of the quantity now in bond should have been disposed of. The limiting the supply, in the first instance, to the "now" bonded corn, was a question which had been mooted in the Cabinet, if I recollect right, by Lord Westmoreland. I own that I thought (as I understood him to think) that, within certain limits, there were reasons for giving priority to that corn, before we suffer fresh supplies to come into the market from foreign countries; an arrangement temporary in its nature, but in its operation, by the bye, the very reverse of what your amendment contemplates as a permanent system.

'You will therefore perceive that, in writing the unlucky paragraph which is the origin of all this confusion, I was no longer thinking of the "permanent evil," your proposed remedy for which I had discussed in the former part of my letter.

'Having no copy of the Corn Bill with me here, I am quite incapable of forming any opinion as to the effect of the word "British" in the second clause of the Bill, an amendment of which I was not aware till I received your letter this morning.

'I shall, for many reasons, be sorry if this Bill should be lost, and nothing done in respect to our Corn Laws in the present Session of Parliament. But, whatever may be the fate of the Bill, or however produced, I never for a moment can doubt that, in the part which you have taken, your anxious object has been to render the proposed measure as free from objection as the nature of the subject, dealing with such complicated interests, and through such a variety of transactions, will admit.

'I remain, my dear Duke of Wellington, ever faithfully yours,

'W. HUSKISSON.'

I am truly sorry, my Lords, to have found myself under a necessity to trespass at this length on your kindness and attention. But I have ventured so to trespass upon your Lordships in the conviction that, by entering upon the correspondence which I have just read, I should prove to all who hear me, beyond any possibility of cavil, the reasons and the motives that have influenced me in the course I have pursued in this affair. Any feeling of party

or of faction, or any the least desire to embarrass His Majesty's Government, I, once for all, utterly, entirely, and most distinctly disclaim.

Bill read a second time.

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[SECOND SESSION OF THE EIGHTH IMPERIAL PARLIAMENT.]

*February 11, 1828.*

### THE TURKISH QUESTION.

The Earl of CAERNARVON moved for the production of the Instructions forwarded to the Admirals of the Allied fleets in the Mediterranean between the 6th July and 20th October, 1827. The noble Foreign Secretary (the Earl of Dudley), who had lately accepted office, was understood to be favorable to the policy of Mr. Canning on the Turkish question, and he would doubtless explain what guarantees he had procured from his new colleagues that that policy would be adhered to.

The Earl of DUDLEY opposed the motion.

*THE DUKE OF WELLINGTON* spoke in the following terms :

I do not rise for the purpose of discussing the propriety of the Treaty and Protocol, so often referred to in the course of the present discussion. It will no doubt become the duty of your Lordships, some time or other, to discuss the policy of all the measures and principles on which each of them has been founded. At present it is only necessary for me to say, that, as it is my firm intention to carry into execution, according to the spirit and according to the letter, the Treaty to which His Majesty, in good faith, is a party, it would not be becoming in me to cast any imputations, by way of comparison between the Treaty and the original measure of the Protocol. It is certainly true, as stated by my noble friend (Lord Goderich), that the Protocol did not carry within itself any specification of the means by which its objects were to be accomplished. But my noble friend will recollect that the measures of execution were put as the conditions of the Protocol; and though they were taken as the conditions of it, they did not belong to it at the time it was signed. I will say further, that these measures were not exactly of the same description as those proposed in the Treaty of July last. In a certain degree the former were not exactly measures of coercion, but consisted chiefly of diplomatic representations, to which, it was hoped, the Porte might be induced to yield. Let me not be understood as

comparing these measures with the wish of declaring a preference for the one over the other. I mean no such thing. I merely desire now, once for all, to state my intention of carrying into effect, in spirit as well as letter, the measure to which His Majesty is a party.

I differ, to a great extent, from the noble Earl who brought this motion forward ; but I do not feel called upon to go into any detailed reply to his speech. Much has been said here, and elsewhere, at various times, on the question of interference by one State in the affairs of another. I do not admit the right of one country to interfere with the internal affairs of another country, except where the law of necessity or great political interests may render interference absolutely necessary. But I say that non-interference is the rule, and interference the exception. This is the ground of the policy on which this country acts. It disdains a daily interference with the affairs of other countries. But I contend that the case created by the conflict of the Turks and Greeks constituted an exception, and justified the means that have been resorted to, though at first it was certainly intended that those means should be limited to negotiation and diplomacy.

I shall now say a few words, in consequence of what was stated by my noble friend (Lord Goderich), on the subject of the motion before your Lordships ; and, more particularly, of the Instructions given to the Admirals of the Allied fleet, in pursuance of the Treaty, which it is the object of this motion to have produced. No doubt these instructions, as it appears by the 4th Article of the Treaty, were to be drawn up by the Ambassadors of the Allied Powers residing in London. They are not, therefore, the instructions of His Majesty's Government alone ; but those agreed on at a diplomatic conference with its Allies. They are, besides, not only the instructions of the three Governments, but they relate to a transaction not yet concluded. If we were the only party, it would be the duty of His Majesty's Ministers to entreat your Lordships not to ask us for those instructions till the affairs were in such a state that they could be safely disclosed.

But having stated my intention, and the intention of His Majesty's Government, to carry into execution this measure, I confess I am surprised that the noble Earl should have asked my noble friend (Earl Dudley) what guarantee he had for the execution of the Treaty. From the moment I was charged with the commis-

sion, which I have executed to the best of my ability, that of forming a Government, I felt that my duty would require me to carry this Treaty strictly into execution. In the first communication I had with my noble friend, in all those I have had with those gentlemen who have done me the honor to unite with me in carrying on His Majesty's Government, I have invariably stated that this was my firm intention. The noble Earl talks of guarantees. Does he suppose that gentlemen who have done me the honor to connect themselves with me in this service imagined I was a person holding such opinions, and having such principles, that they could not trust me without a guarantee, for the mode in which I should conduct His Majesty's Government? Were I to abandon that Treaty, and the principles on which it is founded, to abandon it for any corrupt purpose (I say corrupt, for, in the circumstances in which I stand, as a party who in a diplomatic capacity was concerned in framing the original Protocol, it would be corrupt in me to abandon it), I should be utterly unworthy of the situation I have now the honor to fill. But is it to be supposed that the Right Honorable gentleman to whom I understand the noble Earl to allude ever used such expressions as are ascribed to him; namely, that I had given him a guarantee? If he had entered into any such corrupt bargain, would he have proclaimed his own shame by avowing that he had connected himself with one from whom guarantees were necessary, as it is stated that he did at the Liverpool election? Is it not much more probable, though I have not thought it worth my while to ask for any explanation on the subject, that my Right Honorable friend stated, not that he had made any bargain with me, but that the men of whom the Government is now composed are, in themselves, a guarantee to the public that their measures will be such as will be conducive to His Majesty's honor and interests, and to the happiness of the people? That is what the Right Honorable gentleman said, if I am not mistaken, and not that I had given him any guarantee for the principles of the Government. But if I gave a guarantee to my Right Honorable friend, what have I done for the other members of Government? Is there nobody else in the Government but my Right Honorable friend? Every Minister surely forms part of it. Every one is equally at liberty to state his opinions on every subject he may choose to propose for the consideration of Government. I appeal to my noble friends whether they ever belonged

to any Cabinet whatever in which questions were discussed more freely. It is conducted on the same principles as the Cabinet of which I was a member for eight years, under Lord Liverpool ; and in which all measures were fairly considered by all the members of it. I was an assenting party to the greatest number of the measures of that Government, and therefore I hold myself responsible for them equally with the other members of that Government. My opinions are perfectly well known. I have departed from none of them, nor has my Right Honorable friend, I believe, departed from any of his. How could I, with the least shew of consistency or the slightest regard for character, depart from the maintenance and prosecution of measures to which I stood already pledged ?

As to what has been said respecting the Finance Committee, I say of that, as of the rest, that no particular guarantee has been given, but the promise of the King's Speech will be acted upon with as good faith as any party can desire.

With respect to the Corn Laws, there was a paragraph in His Majesty's Speech at the close of the last Session of Parliament, which contained a promise that the subject should receive the earliest consideration. Accordingly, it was the first subject on which Government deliberated ; but this was without any previous guarantee. There could not have been any, nor was any necessary, from those who compose the present Cabinet. I need not trouble your Lordships further in expressing my intention to dissent from the motion of the noble Earl.

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*February 25, 1828.*

**M R. C A N N I N G.**

The Marquis of CLANRICARDE again adverted to the charge of personal hostility to the late Mr. Canning, which was said to have been some time ago made, in common with Mr. HUSKISSON, by the noble Foreign Secretary (Earl of Dudley), against the Duke of Wellington ; and inquired how the noble Earl could reconcile it with a more recent declaration of the Right Honorable gentleman at the Liverpool election, that he knew no personal enemies to Mr. Canning in the present Administration ?

*THE DUKE OF WELLINGTON* spoke in the following terms :

I assure your Lordships that I do not rise with the intention of entering at any great length into this discussion, which, in my opinion, is entirely unnecessary, and might as well have been left

alone ; or of making any profession of principles, because I think that unnecessary, and because I hope, after what has fallen from the noble Lord, that he will support the principles on which I shall act. But I rise to protest against any such imputation being cast upon me, as that I ever entertained any personal hostility to Mr. Canning. On a former occasion I stated distinctly to your Lordships why I did not think proper to remain in the Government of which Mr. Canning was the head. The communications that passed between me and Mr. Canning have, unfortunately, I must be allowed to say, been made public enough ; and I defy any man to point out anything like personal feeling in those communications. It is true, that, when I found it necessary to withdraw from the Government, I also thought it my duty to lay down the military office which I held ; but I beg leave to call your Lordships' recollection to the explanation which I gave at that time, and to my subsequent conduct. After I left the Government I always met Mr. Canning in the way in which I had been accustomed to meet him, and did not depart from those habits which had marked our previous intercourse. But I will go further, and say that I had no hostility towards Mr. Canning's Government. I did, it is true, propose that a clause should be added to the Corn Bill, but did I not, at the same time, beg of the Government to adopt that clause, or something like it, and not to abandon the Bill ? I must again repeat, that to the day of his death I felt no personal hostility to Mr. Canning ; and that I am equally free from the imputation of having entertained any political hostility towards him. To whatever persons the declaration of the Right Honorable gentleman (Mr. Huskisson) was intended to apply, I claim to myself the right of not being included in the number of Mr. Canning's enemies. I will only add, that I trust, for the sake of public business, discussions of this nature will be discontinued.

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*March 31, 1828.*

### THE CORN LAWS.

*THE DUKE OF WELLINGTON* spoke in the following terms :

I rise, my Lords, for the purpose of moving for certain papers which will shew to your Lordships the operation of the Act of the last Session of Parliament, relative to the introduction for home



consumption of foreign corn warehoused in this country prior to the 1st of July, 1827.

I will avail myself of the opportunity afforded me in making this motion to state to your Lordships the nature of the measure intended to be proposed by His Majesty's Government for the sanction of Parliament, for the purpose of regulating the introduction of foreign corn into this country, and the principles which have guided His Majesty's Ministers in coming to a decision upon the measures which it is so intended to submit. Your Lordships are all aware that a variety of opinions exists throughout the country respecting the introduction of foreign corn; one class of persons maintaining that its importation should be prohibited, whilst others contend for its free introduction into the markets of the country. I have considered it my duty, my Lords, and my colleagues, also, have considered it to be their's, in the measure which they are about to propose to Parliament, to endeavor to steer their course between the two extremes, and to propose a measure which shall have the effect of conciliating all parties; which shall be, at the same time, favorable to the public, and which shall be permanent.

Your Lordships will recollect, that, notwithstanding the difference of opinion which exists on this subject, all parties agree, generally, that the corn-growers of this country ought in some measure to be protected. The number of individuals either in Parliament or out of it who maintain that foreign corn ought to be imported altogether free of duty is very small indeed. Some persons undoubtedly think that a small fixed duty ought to be imposed; and I, my Lords, should certainly say here that, if any such fixed duty were imposed, it ought to be a very small one; but I repeat, my Lords, that, whatever may be the particular doctrines or opinions of one class of persons or another, all agree that some protection ought to be afforded to the agriculture of this country. My Lords, this opinion is founded on the great burden of taxation upon the country generally, as well as on the particular burdens upon the land, and on the fact that the labouring classes here are better fed, clothed, and lodged than the people of the same classes in other countries. It is admitted by those who entertain this opinion in favor of a low duty, that their expectation and intention are, that the poor lands of this country which have been brought into cultivation by the application of great labor, and by the ex-

penditure of large capital, should be at once thrown out of cultivation, and that even the richer lands would become comparatively unprofitable in consequence of the adoption of their system. I will maintain before your Lordships that this country has been brought to its present high state of cultivation, and consequent internal wealth, by the fostering protection which has invariably been given to agriculture, and which has induced gentlemen to lay out their capital in redeeming waste lands and bringing them into cultivation. The result of the system to which I refer would be to throw out of cultivation the land thus redeemed from waste ; to reduce the extent of cultivation of the richer lands ; consequently to lessen the productive power of the country ; and, finally, to throw us for subsistence and support on the resources of foreign nations.

My Lords, I will not exaggerate the effects likely to be produced by the pursuing of a system such as that to which I have alluded ; but I beg your Lordships to reflect on the consequences which must result, if the Powers, from whose dominions these resources are generally drawn, should think proper to lay a heavy tax on the export of such corn, or that it should be subject to such an operation by any other State, in its transit to this country. I entreat your Lordships to consider what must be the consequences of such a measure in its results to this country ; a measure too, in which, I may say, that foreign States might, from circumstances, be highly justified. But, my Lords, supposing such moderation on the part of those States, that they should continue to allow us to draw our supplies from their dominions ; supposing that we should be supplied from other countries, America, for instance, yet I beg your Lordships to observe, that this country would be constantly, under the proposed system of fixed duty, placed in the same state in which it found itself in the years of famine and scarcity which occurred in both the last and the present century, and would, of consequence, be exposed to the highest possible prices for wheat. This, my Lords, I say, would be the inevitable consequence. The cost of production, in Poland, for instance, would not be increased ; but the prices would be regulated here, not by the prices of that country, but by the scarcity price of this country, and by the profits of all those who might be, directly or indirectly, concerned in the contemplated importation of corn, in such a state of things as that to which I have alluded. Under these circumstances, my Lords, a low duty would not be productive of a reduction in price ;

indeed, so far from diminution, I am confident it would produce an enormous increase.

But, my Lords, I would ask, even supposing it were otherwise, whether it would be proper to adopt such a measure in reference to its probable effect in other respects? My Lords, look to Ireland, and consider what must be the inevitable consequence if agriculture is not to be encouraged in that country, a country which, during the last year, supplied England with more than 2,000,000 quarters of grain. The quantity of wheat alone imported from Ireland last year was no less than 400,000 quarters. I do, therefore, beg your Lordships to consider what must be the consequence of cutting off from that country nearly the only source of industry, the only manufacture, with one exception, which is established in that country. No man, whether connected with that country or not, can for a moment think of imposing such a sacrifice on that country. On the contrary, I am disposed to think that many of your Lordships will be ready to make considerable sacrifices to procure for the people of Ireland a share of that plenty their industry affords us. But, my Lords, I speak not only with reference to Ireland, but with reference to this country. I am ready to state that the gentlemen of this country have, by the extent of the capital and the labor which they have employed on their estates, raised the agriculture of this Kingdom to its present prosperous condition; and nothing would be more unjust than to take from them that protection by which they have been enabled to bring cultivation to the state in which it now is, and to deprive them of those profits which are so justly their due, on account of the capital laid out by them. I will say, that the merchant, the manufacturer, the poor, and the whole public, are interested in the maintenance of the independent affluence of the nobility and gentry of this country; that the Government are interested in supporting their affluence, on account of the assistance which has always been derived from them in every branch of internal government, and on account of the support which they have afforded to Government under every circumstance. If it were in my power to make corn cheaper by diminishing the protection which the landed gentry have always received, I would not do it at the expense of Ireland, and of all the evils which the measure must inflict upon the essential interests of this country.

My Lords, having expressed my opinion upon the system of

importation at a low duty, I will now offer a few observations with respect to the other system, that of entire prohibition; and which, I must say, has been greatly and justly complained of. The truth is, that such a system could not be carried into execution without exposing the country to the greatest possible evils: first of all, from want; next, from high prices, and also from a superabundance of corn, arising from the introduction of a greater quantity of wheat than required being in the country at a period when the scarcity might have been relieved by an abundant harvest; and, lastly, from the depression of prices, affecting not only the producers of corn in this country, but also the importers of foreign grain. My Lords, evils like these can only be relieved by the illegal interference of the Government, or by Ministers coming to Parliament, in order to induce it to consent to a suspension of the law. Such, my Lords, is the history of the corn question, as regards prohibition; and there is not the least doubt that the system has produced all the evils to which I have alluded, at one period or another.

My Lords, I understand that a noble Lord stated last year, that there were resources in the Act of the year 1822, according to which the importation, prohibited till corn should reach the price of 70s., was liable to a decreasing duty afterwards. But the country could no more bear the price of 70s. as a prohibition, than that of 80s.; and the noble Lord greatly deceived himself if he supposed that a duty of 17s. for three months, and of 12s. afterwards, could be borne, when the price of wheat rose to 70s. Under these circumstances, we are driven from the consideration of a positive prohibition to that of a prohibition by a high duty; which could no more be maintained, if there should be a bad harvest in this country, than a positive prohibition. The Government has, therefore, considered a measure, founded on the principle of the Bill introduced into your Lordships' House last year; namely, that of the duty rising as prices fall, and falling as the prices rise, meaning thereby to allow the introduction of foreign corn by degrees, in such proportions as the price of corn in this country will be best calculated to bear, on the payment of certain duties. Your Lordships will recollect, that after the Bill which was introduced last year, and to which I felt it my duty to move an amendment, after that Bill had been abandoned by the noble Lord who had introduced it, another Bill was introduced which

passed into a law, to enable the holders of all corn then in bond, which had been bonded before 1st July, 1827, to introduce that corn into the market for home consumption, on the payment of a certain rate of duty. By the papers for which I mean to move, your Lordships will see what has been the operation of that Bill. Upon the introduction of that Bill, I recollect very well that I stated it to be my opinion that it would be an experiment of the measure which had been discussed during the Session. But, my Lords, I must admit that it has not proved altogether a fair one, for the truth is, that by one of the clauses of that Act, those persons who had corn in bond were obliged to take it out between the months of July and May, and the natural consequence was, that they have been induced to take out a larger quantity than they would otherwise have been disposed to do had they been left entirely free and unshackled in their operations.

This is a fact, my Lords, which I wish particularly to impress upon the recollection of your Lordships. Now, my Lords, the quantity of foreign corn in bond on the 1st of July, 1827, amounted to 633,905 quarters. Of this quantity 514,471 quarters were taken out under the Act, and 119,434 quarters was the quantity of corn that remained in bond on the 15th of February, 1828. From these circumstances it will be seen that the Act had proved ineffectual. Under its operation corn had been taken out of bond at a period when I believe the price in this country was not such as to render the introduction of corn necessary. The measure was ineffectual in that respect, and it had also failed in its expected operation in another point of view. Of that corn which was so taken out of bond, 380,000 quarters were taken out at a duty of 22*s.* 8*d.*, and 95,000 quarters at 24*s.* 8*d.*; and that at a time when the state of the price of corn of the growth of this country fully proved that no such supply was necessary. These were the duties fixed by the Act as payable upon corn when the price in the home market should be 59*s.* and 58*s.* the Winchester quarter. Here, again, I may say, the Act was ineffectual. It threw into market a quantity of corn not actually required, at a higher duty than it was supposed by the framers of the Act could be paid by importers. At the same time, I again beg your Lordships to bear in mind that the corn had been forced out of bond by the clause which laid an obligation on the holders of foreign corn to take it out previously to the 1st of May; and to recollect

that the Act has proved effectual in one respect, as there still remain in bond 119,000 quarters, being about one-fifth of the whole quantity in bond at the period when this Act commenced its operation. It has failed, therefore, only in the lowness and inadequacy of the duties.

My Lords, I now beg to draw your Lordships' attention to the following scale, which is that proposed by His Majesty's Government, as the range of duties and prices at which foreign corn shall be admissible into this country.

*Scale of Duties now proposed, and of the Bill of 1827, in Imperial and in Winchester Measure.*

IMPERIAL MEASURE.					WINCHESTER MEASURE.				
Price.		Proposed.		Bill of 1827.	Price.		Proposed.		Bill of 1827.
s.	s.	s.	d.	s. d.	s.	s.	s.	d.	s. d.
52 and under	53	..	34 8	.. 40 8	50 and under	51	..	34 0	.. 40 0
53	—	54	.. 33 8	.. 38 8	51	—	52	.. 33 0	.. 38 0
54	—	55	.. 32 8	.. 36 8	52	—	53	.. 32 0	.. 36 0
55	—	56	.. 31 8	.. 34 8	53	—	54	.. 31 0	.. 34 0
56	—	57	.. 30 8	.. 32 8	54	—	55	.. 30 0	.. 32 0
57	—	58	.. 29 8	.. 30 8	55	—	56	.. 29 0	.. 30 0
58	—	59	.. 28 8	.. 28 8	56	—	57	.. 28 0	.. 28 0
59	—	60	.. 27 8	.. 26 8	57	—	58	.. 27 0	.. 26 0
60	—	61	.. 26 8	.. 24 8	58	—	59	.. 26 0	.. 24 0
61	—	62	.. 25 8	.. 22 8	59	—	60	.. 25 0	.. 22 0
62	—	63	.. 24 8	.. 20 8	60	—	61	.. 24 0	.. 20 0
63	—	64	.. 23 8	.. 18 8	61	—	62	.. 23 0	.. 18 0
64	—	65	.. 22 8	.. 16 8	62	—	63	.. 22 0	.. 16 0
65	—	66	.. 21 8	.. 14 8	63	—	64	.. 21 0	.. 14 0
66	—	67	.. 20 8	.. 12 8	64	—	65	.. 20 0	.. 12 0
67	..	68	.. 18 8	.. 10 8	65	—	66	.. 18 0	.. 10 0
68	..	69	.. 16 8	.. 8 8	66	—	67	.. 16 0	.. 8 0
69	..	70	.. 13 8	.. 6 8	67	—	68	.. 13 0	.. 6 0
70	..	71	.. 10 8	.. 4 8	68	—	69	.. 10 0	.. 4 0
71	..	72	.. 6 8	.. 2 8	69	—	70	.. 6 0	.. 2 0
72	..	73	.. 2 8	.. 1 0	70	—	71	.. 2 0	.. 1 0
73	..	74	.. 1 0	.. 1 0	71	—	72	.. 1 0	.. 1 0

It will be seen, my Lords, by this scale, which is intended to form the basis of the measure to be proposed to Parliament, that when corn is at 50s. the quarter (Winchester measure) the duty will be 34s.; and from 34s. it will go on decreasing 1s., according as the price of corn increases 1s., until corn rises to 64s. At that price the duty will be 20s.; at 65s. per quarter, 18s.; at 66s. per quarter, 16s.; and at 56s. per quarter the duty will be the same under this Bill as under the last. The difference of the duties under the present system, compared with the Bill of last year, will be this:—With corn at 50s. the quarter, the duty will be 34s.,

being a decrease of 6*s.*; at 55*s.* there will be a decrease of 1*s.* of duty: I have already said that at 56*s.* the duty is the same as under the last Bill. At 57*s.* there will be an increase of 1*s.*; at 58*s.* there is an increase of 2*s.*; at 60*s.* there will be an increase of 4*s.*; at 61*s.* an increase of 5*s.*; at 62*s.* an increase of 6*s.*; at 63*s.* an increase of 7*s.*; and at 64*s.* an increase of 8*s.*; at 65*s.* and 66*s.* also, an increase of 8*s.*; at 67*s.* an increase of 7*s.*; and at 68*s.* an increase of 6*s.* With respect to oats and barley, it is proposed that they shall remain in the state in which they were placed by the law last passed. There remains now only one other point to which I wish to draw your Lordships' attention.

Your Lordships will remember, that, in the discussion of the Bill of last year, I moved an amendment, the object of which was to prevent frauds in the system of averages from being carried into execution by means of the Warehousing system. Since last year a great deal has been done to remedy those frauds. In the first place, the Irish and Scotch corn sold in the English markets has been included in the averages; and returns introduced from a great number of places not before included. The difficulty of fraud will be increased in proportion to the quantity on which the averages are struck. Besides this, the additional duty laid on the article itself will render the gain, by any fraud, from the price varying between 1*s.* and 2*s.* only, so small that it will scarcely be worth any person's while to attempt imposition. Your Lordships will recollect that in discussing this question last year I stated that it was my wish to introduce some regulations which might put an end to all such frauds carried on by means of the Warehousing system. I am aware that the Warehousing system is not applicable to the trade in corn. But, considering the vast property invested in warehouses, that if corn was not warehoused in England it would be so on the opposite coast, and the great difficulty of regulating the warehouses, I have been induced to leave them unnoticed. I besides consider the duty now proposed to be such as will be admitted by every one as sufficient to give a full and fair protection to the agriculture of this country, and I trust your Lordships will be satisfied without any interference with the bond-duty system. Having now mentioned everything which it occurs to me to state, I most earnestly entreat your Lordships to consider what I have just proposed before you enter into any discussion upon the question.

I will conclude by moving, 'That there be laid before your Lordships a return of the average price of wheat from the 1st of July last year up to the present time ; and also an account of the quantity of wheat taken out of bond during the same period ; and the amount and rate of duty paid on it.'

Returns ordered.

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*April 17, 1828.*

### CORPORATION AND TEST ACTS REPEAL BILL.

Lord HOLLAND, in moving the second reading of this Bill, dwelt upon the cruelty and folly of attempting to coerce the consciences of men by penal enactments. The Acts in question, after a trial of nearly 200 years, had confessedly failed in their avowed object, of strengthening the Church Establishment, and it was therefore high time that they should be removed from the Statute Book.

The Archbishop of YORK and the Bishop of LINCOLN were friendly to the Bill, as removing a cause of frequent profanation of the ordinances of the Church.

The Earl of ELDON felt bound in conscience to oppose it, as absolutely destructive to the Church. Besides, it was so entirely a party measure, that even the noble Lords who now supported the scheme had formerly declared themselves hostile to it.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, I did not wish to trouble your Lordships with my opinions on the present measure in this stage of the proceedings, and it is probable I might have reserved what I intended to offer for a future opportunity had it not been for the observations of the noble and learned Lord who has just sat down, relative to the line of conduct originally adopted by Government when this Bill was first brought forward in the other House of Parliament. My Lords, it is certainly true, as the noble and learned Lord has stated, that my Right Honorable friends in that House did oppose the Bill when it was first introduced to their notice. The principle on which they opposed the measure was, that, although they did not approve entirely of the existing law on the subject in question, yet they had found it to conduce so much to the advantage of Church and State for many years, without impairing the religious peace of the country,—a peace which I may venture to say has been enjoyed by this country in a greater degree than by any other similarly circumstanced with which we are acquainted,—that my Right Honorable friends conceived we might risk the loss of



our present advantages if the system under which those advantages had been attained and preserved should be inconsiderately abandoned. On that principle they opposed the Bill in the first instance ; though, at the same time (as I have already intimated), they did not wholly approve of the law as it now stands. Afterwards, however, finding that a large majority of the House of Commons had agreed to the Bill, and that many who opposed it on grounds not applicable to the measure now before your Lordships, my Right Honorable friends felt indisposed further to oppose it after it had been once adopted by the majority of the House of Commons. When my Right Honorable friends saw this, they thought it was better to adopt the measure, coupled with an amendment which, in their opinion, afforded ample security to the Church ; at the same time that the Bill itself, as modified, appeared to them to be calculated, so far from impairing, to improve and continue the religious peace which this country has so long enjoyed. On that principle it was, my Lords, that the measure, which had been originally opposed by my Right Honorable friends connected with Government in the other House, afterwards received their concurrence and support. On the same principle it is now supported by Government in your Lordships' House.

I fully agree with my noble friend, that the security of the Church of England, and the union existing between it and the State, depend neither on the law about to be repealed by the present Bill nor upon the provisions of this measure itself. That union and security, which we must all desire to see continued, depends upon the oath taken by His Majesty, to which we are all, in our respective stations, parties ; and not only on that oath, but on the Act of Settlement, and the different Acts of Union from time to time agreed to ; all of which provide for the intimate and inseparable union of Church and State, and for the security of both. The question is, what security does the existing system of laws, as they now stand, afford the Church establishment? My Lords, I am very doubtful as to the amount of security afforded through the means of a system of exclusion from office, to be carried into effect by a law which it is necessary to suspend by an annual Act, that admits every man into office whom it was the intention of the original framers of the law to exclude. It is perfectly true it was not the intention of those who brought in that extension law originally that dissenters from the Church of Eng-

land should be permitted to enter into corporations under its provisions. The law was intended to relieve those whom time or circumstances had rendered unable to qualify themselves according to the system which Government had devised. However, the Dissenters availed themselves of the relaxation of the law, for the purpose of getting into corporations, and this the law allowed. What security, then, I ask, my Lords, is to be found in the existing system? So far from Dissenters being excluded by the Corporation and Test Acts from all Corporations,—so far is this from being the fact, that, as must be well known to your Lordships, some corporations are absolutely and entirely in the possession of Dissenters.

Can you suppose, my Lords, that the repeal of laws so inoperative as these can afford any serious obstacle to the perfect security of the Church, and the permanent union of that establishment with the State? The fact is, the existing laws have not only failed completely in answering their intended purpose, but are anomalous and absurd; anomalous in their origin, absurd in their operation. If a man were asked the question, at his election to any corporate office, whether he had received the sacrament of the Church of England, and if he said 'No,' he lost every vote that had been tendered on his behalf, and there was an end of his election; but if, on the contrary, by accident or design, he got in without the question relative to the sacrament being put to him, then the votes tendered for him were held good, and his election valid, so that no power could remove him from the office which he held. I ask the noble and learned Lord, is there any security in that? My noble friend says that the original intention of the framers of these Acts was, that the sacrament should not be taken by Dissenters; but the law requires that a man, on entering into any corporation, shall receive the sacrament without regard to his religious belief. Thus, my Lords, an individual, whose object is to get into a particular office, may feel disposed, naturally enough, to take the sacrament before his election merely as a matter of form, and thus a sacred rite of our Church is profaned and prostituted to a shameful and scandalous purpose. I confess, my Lords, I should have opposed this Bill if I thought it calculated to weaken the securities at present enjoyed by the Church. However I agreed not to oppose the Bill, though I consented, in the first instance, to oppose it, in order to preserve the blessings of religious peace. I was

willing to preserve the system which had given us this peace for forty years, for during that time the name and the claims of the Dissenters had not been heard of. But now they have come forward, and their claims are approved of by a great majority of the House of Commons, and the Bill has come up to this House. If it be opposed by the majority of this House, it is to be feared, now that the claims are made, that such an opposition will carry hostility throughout the country, and introduce a degree of rancor into every parish of the kingdom, which I should not wish to be responsible for.

My Lords, I consider the opposition offered in the first instance by my Right Honorable friends in the other House of Parliament to this measure, as having arisen out of a desire to preserve the religious peace of the country, at the same time that they secured the integrity of the Establishment. My Right Honorable friends at first contemplated the existing system as having given religious peace to this country for forty years. I repeat, that during forty years that peace has never been disturbed, nor has the question which is now under consideration been agitated. But, my Lords, the subject of security, and of religious liberty and peace, was fully discussed in the other House, through which the Bill was carried by a large majority, and it now comes before your Lordships, and is opposed by a small minority here.

My Lords, under these circumstances, I conceive that the present measure comes before us with no trifling recommendations. You have had petitions from many parishes in this Kingdom, and from various societies of professing Christians, all tending to show that religious rancor and animosity alone can be generated by a perseverance in the present system, and that the contrary may be expected to arise out of a wise departure from it. Such are the sentiments contained in the petitions presented, not only to your Lordships, but to the other House of Parliament, and in these sentiments I think it is our duty to concur, taking the chance for religious peace, which the majority of the House of Commons consider as likely to arise, and to be continued, by means of the present measure, conjoined with some degree of security, perhaps all the security necessary, offered to the Church.

My Lords, on these grounds I think it advisable to entertain the proposition submitted to you by the noble Lord opposite. By agreeing to it, you will attain the advantages to which I have

alluded, at the same time that you will ensure a security fully equivalent to the security, if security I may call it, which your Lordships are about to repeal, by agreeing to the Bill now before you. I have nothing further to add, except to request your Lordships' pardon for having addressed to you these few words, which appeared to me necessary, in consequence of what fell from my noble and learned friend, and in order to explain the view taken of the subject by His Majesty's Government.

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*April 21, 1828.*

In Committee on the Corporation and Test Acts,

The Earl of ELDON maintained that these Acts were a part of the constitution of the country as it was established at the Revolution. That constitution he did not wish to see altered.

The Earl of FALMOUTH expressed his entire concurrence in the views of the noble and learned Earl. The only ground for the Bill was, that the measure had found favor with the other House of Parliament.

*THE DUKE OF WELLINGTON* said :

My Lords, It is not my wish to prolong this incidental discussion. I rise merely to state to your Lordships that the noble Lord who has just sat down does not appear perfectly to understand the ground on which I have recommended this measure to the House. I have not gone the length which the noble Lord has attributed to me. I have not called on your Lordships to agree to this Bill because it has been passed by the House of Commons ; I merely assigned that as one of the reasons which induced me to recommend the measure to your Lordships. I certainly did allude to the feeling in favor of the Bill which has for some time been growing up in the House of Commons, as a good reason for entertaining it in your Lordships' House, but other reasons also operated on my mind. Many individuals of high eminence in the Church, and who are as much interested as any other persons in the Kingdom in the preservation of the Constitution, have expressed themselves as being favorable to an alteration of the law. The religious feelings of those venerable persons disposed them to entertain this measure, because they felt strong objections to the sacramental test. Under these circumstances, wishing to advance and to preserve the blessings of religious peace and tranquillity, conceiving the present to be a good opportunity for securing to the country so

inestimable an advantage, I felt it to be my duty to recommend this measure to your Lordships. It is, my Lords, on all these grounds that I support the Bill, and not on the single ground, the circumstance of its having been carried in the House of Commons, as the noble Lord has stated. I am not one of those who consider that the best means of preserving the constitution of this country is by rigidly adhering to measures which were called for by particular circumstances, because those measures have been in existence for two hundred years; for the lapse of time might render it proper to modify, if not to remove them altogether.

I admit, my Lords, that, for about two hundred years, the religious peace of the country has been preserved under these Bills; but, when Parliament is discussing the best means of preserving the constitution of the country, it surely is worth while to inquire whether any and what changes, in what have been deemed the securities of the Church, can safely be made, so as to conciliate all parties. The noble Lord has stated that he has strong objections to this Bill. If the noble Lord will suffer the Bill to go into a Committee, and will there state his propositions, every attention will, of course, be paid to them. All I hope is, that your Lordships will not unnecessarily make any alterations in the measure that would be likely to give dissatisfaction; that your Lordships will not do anything which may be calculated to remove that conciliatory spirit which is now growing up; a spirit that will redound to the benefit of the country, and which, so far from opposing, we ought, on the contrary, to do everything to foster and promote.

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*April 24, 1828.*

In Committee on the Corporation and Test Acts Repeal Bill,

The Earl of FILDON proposed an amendment, declaring that all the Acts of Parliament for the establishment and preservation of the Churches of England and Ireland in force at the time of the Union with Scotland, should be in full force for ever.

The Earl of CLARENDON complained that this amendment, if passed, would make it impossible to alter any of the existing statutes respecting the Roman Catholics.

*THE DUKE OF WELLINGTON* said:

It does appear to me, my Lords, undoubtedly, that if the proposition of my noble and learned friend does not refer to the Catholics, it will be of no use whatever. If my noble and learned

friend intends also to propose a corresponding alteration in the declaration, I must oppose it. I stated that it was not my intention, in giving my support to this Bill, to pledge myself to any step, either on one side or the other, as to the Catholic question. My opinions on that subject remain exactly as they were before. My object in giving my assent to this measure is simply to do away with what I consider detrimental to the religion of the country, the imposing of the sacramental test as a qualification for office. I go no further. The proposed amendment will not make the smallest alteration in the Bill for any good purpose, and therefore I cannot agree to it.

The Earl of ELDON meant only to require, as part of a declaration, that persons who became members of Corporations should state that they were Protestants.

*THE DUKE OF WELLINGTON* said :

My noble and learned friend seems anxious to introduce this clause into the Report this day ; but I beg him to consider that this declaration will include officers of the army and navy, many of whom, in this country, must be Roman Catholics. This is the reason why I object to the introduction of the word ‘ Protestant,’ which will preclude them from holding their commissions. I admit, that it certainly was not the intention of the other House, or of the framers of the Bill, that Roman Catholics should be admitted, under this Bill, into Corporations.

The House divided on the amendment : Contents, 31 ; Non-contents, 71. Majority against the amendment, 40.

The Earl of ELDON then moved the insertion of the words, ‘ I am a Protestant,’ in the declaration to be made by persons taking office in any Corporation. He resolved, even if he should stand alone, to divide the House upon the amendment.

*THE DUKE OF WELLINGTON* said :

I certainly entertained the impression, that it was the intention of my noble friend to move these amendments merely for the purpose of having his protest entered upon the Journals of the House. I confess, that I am doubtful whether the word ‘ Protestant’ ought to be introduced into the Bill, though, at the same time, I certainly never intended, nor was it intended by my Right Honorable friend in another place, that this Bill should affect that

particular question one way or the other. I would suggest to my noble friend the propriety of postponing the discussion of the amendment to another stage of the Bill; though I admit, if he wishes to divide the House upon it now, he has the right to do so. Time ought to be given, however, for the consideration of this last amendment; and I therefore think it better that the further consideration of the Report should be postponed.

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*April 28, 1828.*

On the motion of Lord HOLLAND, the Test and Corporation Acts Repeal Bill was read a third time. On the question 'That this Bill do pass,'

Lord HOLLAND proposed, as an amendment, that the words in the declaration, 'on the true faith of a Christian, in the presence of God,' which might affect some Dissenters and the Jews, be omitted.

The Bishop of DURHAM expressed his hope that this measure was not intended to be followed by further concessions and changes.

*THE DUKE OF WELLINGTON* spoke in the following terms:

I rise, my Lords, to discuss the only question before us, namely, whether the words, 'on the true faith of a Christian,' shall be omitted; but before I do so, I will assure the Right Reverend Prelate who sits behind me (the Bishop of Durham), that if he supposes this is only an incipient measure, and that an intention exists to follow this measure by others on the same subject, and of a similar nature, I am no party to any such plan. I have supported the measure on the same ground as the Right Reverend Prelate; not because I wish to destroy the system of law which existed before, neither, I must say, do I approve of it; but because I considered that, under all the circumstances of the case, it was necessary to pass this Bill, in order to preserve the peace of the Established Church, and the religious peace of the country. I think we should not come to the consideration of this subject with the same advantage in a future year, and therefore I resolved to give it all the support in my power in this present Session of Parliament.

I now return to the question before the House, which is, whether, on the motion made by the noble Baron (Holland), the words, 'on the true faith of a Christian,' in the declaration, should be omitted, in order to admit the Jews to office in this country. I do

not believe it ever was the intention of the law in this country that the Jews should be so admitted. This Bill was not introduced with that intention certainly. Its object is expressly that the Dissenters shall be admitted to corporate and public offices. For eighty years we have gone on suspending the laws which exclude them ; but, under this system of suspension, it is notorious that the Dissenters have been, by connivance, admitted into Corporations contrary to the design of these Acts. It appears, likewise, by the Statute Book, that the Legislature was aware of the fact ; for there are laws to prevent mayors, and other chief officers, from taking the ensigns of their office, and the regalia of the Corporation, to any other place of worship than the Cathedral, or some other Church or Chapel of the Establishment. Did not Parliament then know that Dissenters were admitted into Corporations when this Act passed ? But this is not the case with respect to the Jews. I have never known an instance in which such persons have been admitted to any corporate or public office. Under these circumstances I shall oppose the omission of the words.

There is another reason why this House should refuse to allow them to be expunged. It is, that, whatever may be said in favor of this new principle, the admission of the Jews would be disliked by the country. Besides, if the principle is to be recognised, let us have the question fairly before Parliament. Let it not be introduced into a Bill for another purpose, but fully and openly discussed on its own substantial merits.

I cannot conclude without remarking, that, if we discuss the different parts of this Bill, at the same length, on every question that may arise, we shall have much more debate this evening than we expect.

The amendment of Lord HOLLAND was put and negatived.

The Earl of ELDON moved that, after the words ‘on the true faith of a Christian,’ there be inserted the words ‘that I am a Protestant.’

The LORD CHANCELLOR considered this amendment altogether unnecessary, as persons taking office in a Corporation, even after the passing of this Bill, would be obliged to subscribe the declaration against transubstantiation ; Roman Catholics, therefore, could not gain admission.

*THE DUKE OF WELLINGTON* spoke in the following terms :

I am, my Lords, desirous of saying one word on this subject. The noble and learned Lord has just told us, that Parliament has frequently decided that the oath of supremacy is not a sufficient



The Earl of MALMESBURY censured the conduct of the present petitioners, and said that all which he and others connected with the growth of British wool wanted was, an opportunity to lay their case fully and fairly before Parliament.

*THE DUKE OF WELLINGTON* said :

My Lords, I wish to say one word in reference to what has fallen from the noble Earl who has just sat down. I would give my consent to a Committee of Inquiry on the very grounds which have been stated by the noble Earl, merely on purpose to enter into a full and fair inquiry into the causes of depression which may have operated on the wool-growers, but by no means with the intention of following that inquiry up by laying a duty on the imported article. My own opinion is, that the noble Lords would be completely satisfied, from the result of that inquiry, that the causes of such depression are not to be removed by laying an additional duty on foreign wool.

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*May 5, 1828.*

The Duke of RICHMOND having moved, That a Select Committee be appointed to take into consideration the present condition of the wool trade of this country,

*THE DUKE OF WELLINGTON* said :

It is not my intention to propose any objection to my noble friend's motion, and I do not think it necessary, therefore, to follow him in the detail of his several arguments. I admit that when so vast a body as the agriculturists of the country come before the House and complain of a heavy pressure upon them, it is but reasonable and proper that the House should grant an inquiry. I, however, have considered it my duty to make an inquiry in another place ; and I must say, that, though I consent to the appointment of a Committee, I do not think that Committee can afford the relief which is contemplated. My noble friend has said that the tax on wool amounts only to from 3 to 4 per cent. ; but then your Lordships will observe that the duty upon the foreign manufactured article is only 15 per cent. ; so that a small addition to the duty on the raw material will render it nearly equal to the duty on the manufactured article. I consent to the motion for an inquiry as to long wool as well as short ; not because I think there is any real ground of complaint, but because, it not being the intention of

His Majesty's Ministers to lay any additional tax upon the importation of wool, I am anxious to show, as strongly as possible, that there is no necessity for their doing so, and that there is no real ground for complaint upon the subject. My object in agreeing to the Committee is, to show the parties complaining that what they seek would render them no benefit; and, in order to do so effectually, I will take care that every possible information shall be laid before the Committee; and I shall be much mistaken if my noble friend himself will not be convinced that there is no ground for the introduction of any measure which would tend to increase the duty upon the importation of wool.

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*May 16, 1828.*

#### CHARACTER OF THE ARMY.

The Earl of CARNARVON proposed a clause to allow any person who had been guilty of an offence under the Night Poaching Prevention Bill, not having a wife or child, to enter into His Majesty's service either as a soldier or a sailor.

*THE DUKE OF WELLINGTON* said:

I confess I have great objections to allow any one who has been guilty of a crime to serve in the army as a soldier. I do not mean to say that there are not many persons in the army who have been guilty of crimes, but I do not wish to have them as having committed crimes. What I object to is this, that persons should be sent to serve in the army or navy as a punishment for committing a crime. Such a mode of enlistment is not at all calculated, in my opinion, to ensure the good conduct of the army or navy, and I shall therefore certainly object to the clause.

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*June 6, 1828.*

#### PENSION TO THE FAMILY OF MR. CANNING.

*THE DUKE OF WELLINGTON* spoke in the following terms:

My Lords, In rising to move the second reading of the Bill entitled 'An Act to enlarge the powers granted to His Majesty under an Act passed in the 57th year of the reign of His late Majesty, entitled "An Act to enable His Majesty to recompense

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the services of persons holding, or who have held, certain high and efficient offices," I will state to your Lordships the grounds on which I considered myself called upon to be a party to the introduction of this measure into Parliament, and on which I now recommend your Lordships to pass it.

Mr. Canning, my Lords, whose talents, qualifications, and abilities are well known to this country, entered His Majesty's service in the year 1796; and, after having filled several high offices and important situations in the Government of this country, he died in 1827, holding at the time the offices of Chancellor of the Exchequer and First Lord of the Treasury. My Lords, it is well known that the salaries of public officers, particularly of the high officers in this country, are but very inadequate to defray the expenses into which they who fill these offices are obliged to enter. This may be good policy. It may be right that with a view to economy such should be the case, but it is quite clear that when a person like Mr. Canning, with but a small fortune, came to be called upon to discharge the duties of one of these high offices, he must either have performed them inadequately, or he must have lived in a manner unfit for a person holding a high office to live in, or he must have fallen upon some other fund besides the emolument arising from his office in order to support the dignity of that office. This was unfortunately the case as regarded the late Right Honorable gentleman: he was obliged to expend a great part of those funds which were destined for the support of his family.

My Lords, I think I may venture to state, that if Mr. Canning had, instead of entering into the public service, adhered to the profession for which he was educated, and which profession he was so well qualified by his industry, his talents, and his abilities to adorn, there cannot be any doubt but that he would have risen to an eminent situation in that profession, and that his family would have been left, when unfortunately they might have been deprived of his protection and support, in a state of affluence.

I think I may likewise mention to your Lordships that Mr. Canning was in 1821 appointed by the East India Company to fill the high office of Governor-General of India, and that he was on the point of sailing to take possession of that office when he was called upon by His Majesty to fill the situation of Secretary of State for Foreign Affairs, in consequence of the severe loss which His Majesty had just then sustained by the death of the late Mar-

quis of Londonderry. I say that if Mr. Canning had been permitted to proceed to India on that occasion, in all probability by the present time he would have been on his return to this country, and in possession of such a competency for his family as would have rendered all anxiety on that subject unnecessary. Shortly after Mr. Canning had entered His Majesty's service on that occasion, His Majesty, feeling that Mr. Canning had given up the profits of that high and important office in order to enter into the political service, thought proper to confer on Mr. Canning one of those pensions that His Majesty is enabled to confer by the Act which it is the object of the present Bill to amend.

My Lords, I must say, and I believe that I am almost the only person, if not the only one, who is enabled to make the assertion on his own knowledge, that that act of grace on the part of His Majesty was totally and entirely unsolicited by Mr. Canning. That Right Honorable gentleman, however, never having been out of office from the period when the pension was granted, had never, according to the provisions of the Act of Parliament, received any part of the emoluments of that pension. He consequently became exposed to all the expenses attending the representation of the office of Secretary of State for Foreign Affairs, and was obliged to defray those expenses from the salary attached to that office, and from funds derivable from his own private resources. Under these circumstances, my Lords, Mr. Canning found he could but ill afford to make that representation which his situation required, and his family are in circumstances by no means affluent, or such as they ought to be in, considering their rank and station in society.

I must likewise beg to call your Lordships' attention to the alteration which this Act of Parliament made in the prerogative of the Crown, and, consequently, to the situation in which Mr. Canning's family are placed. In all probability, if that Act had never passed, the same grace and favor which induced His Majesty to confer on Mr. Canning one of those pensions which His Majesty is enabled to grant by that Act, would have disposed His Majesty to confer on Mr. Canning a sinecure office; and if Mr. Canning had been in possession of a sinecure office he would in that case have been in a condition to support the representation of his situation as Principal Secretary of State for Foreign Affairs. But, my Lords, this is not the only view which may be taken of the

effect of this Act. When Mr. Canning died, it is well known that he possessed the confidence, favor, and good wishes of his Sovereign, and no man who knows His Majesty can doubt that if His Majesty had possessed the power at that moment he would have taken care to alleviate the afflictions of Mr. Canning's family, as far as such a circumstance could have relieved them, by granting to the son the sinecure office which had been held by the father, or that his Majesty would have made some other arrangement for providing for the family.

Under these circumstances I ask your Lordships to empower me to amend this law, in order to enable His Majesty to do that which he would have done if that Act had never passed. There is a further inducement for your Lordships to assent to the passing of this Bill, and that is that it will create no new expense, because the pension which it is proposed to grant to Mr. Canning's son will be payable out of the funds placed at the disposal of His Majesty under the Act which the Bill proposes to amend. I say also that it will create no inconvenient precedent, because, if such a case should again occur, there can be no doubt but that Parliament would come to the relief of His Majesty, and enable him to afford a provision for the family of a deceased Minister under similar circumstances to those to which I have now had the honor of drawing the attention of your Lordships. I therefore now move that this Bill be read a second time.

Earl GROSVENOR was decidedly opposed to the principle of this Bill, and denounced the impolicy of creating peerages for those who had not private fortunes to support them. If such honors, however, were to be granted, he should prefer to see the Crown empowered to make also a suitable provision, so as to avoid the necessity for these eleemosynary applications to Parliament.

*THE DUKE OF WELLINGTON* said :

My Lords, I shall trespass on the attention of your Lordships but a very short time, as I merely wish to offer a few words in reply to what has been said by the noble Earl who has just sat down. What the noble Earl advanced respecting the principle of provision in certain cases of raising individuals to the Peerage would be found extremely inconvenient and objectionable, and is a principle to which the House of Commons would never assent. The effect of what the noble Earl has advanced is to give to the Crown the power of granting pensions beyond what it now pos-

sesses. No measure could be found which would give greater offence, occasion more practical inconvenience, or create greater or more general dissatisfaction. The Crown, by its prerogative, has the power of raising any subject to the Peerage, but it remains with the Parliament to bestow upon such person a pension or provision for the support of the title conferred. I have already stated distinctly the grounds on which I asked for your Lordships' support of the Bill. I wish to make but one observation upon what fell from my noble friend (Lord Dacre) at the commencement of the discussion. He objected to the vote because the grant would be taken away from other grants provided for by the Act. My noble friend has argued the point as if the family of the deceased had a positive right to the pension; but His Majesty, on the contrary, had a right to grant or withhold the pension under the Act in question, Mr. Canning not having served three years. In pursuing the present course the Crown has deprived itself of part of the prerogative granted to it by the Act of Parliament. The pension has been conferred on the youngest son, as the elder one was in the navy, and was therefore considered of not so safe a life. The grant to the younger son is therefore more advantageous to the family.

Bill read a second time.

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*June 9, 1828.*

#### ROMAN CATHOLIC DISABILITIES.

The Marquis of LANSDOWNE moved the adoption of a resolution similar to that recently communicated to their Lordships by the House of Commons, in favor of a final and conciliatory adjustment on the subject of the laws affecting His Majesty's Roman Catholic subjects. His Lordship, among other topics, adverted to one to which importance had been attached in former discussions on this subject, and which had produced considerable impression not only on the minds of many noble Lords, but on the mind of the noble Duke at the head of the Government; namely, that, Ireland being a country in which most of the property was held by confiscation, it was requisite to deal with that country upon principles different to those by which any other country might be dealt with. Evidence had, however, been since produced before Committees of both Houses of Parliament which afforded abundant proof that no possible danger could be apprehended on that subject.

After some discussion the debate was adjourned to the following day.

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*June 10, 1828.*

LORD COLCHESTER opposed Lord LANSDOWNE's motion. The experience of other Protestant Governments showed that the Roman Catholics could only be governed by such laws as at present existed in this country, or by means of Concordats with the Pope.

The LORD CHANCELLOR was opposed to concession. The securities which the Roman Catholics appeared willing to give for the safety of our Protestant constitution were quite inadequate, and could not with safety be accepted.

LORD PLUNKETT maintained that they were most ample, and that Mr. Pitt, by whom they had been fully considered, was satisfied with them.

The Earl of ELDON thought it impossible for their Lordships to agree to this resolution so long as they retained any regard for the safety of our Protestant institutions. Clear and distinct securities for these institutions were absolutely necessary, and had never yet been offered : Mr. Pitt's opinion he could affirm from his own knowledge had been misrepresented.

The Marquis WELLESLEY expressed his earnest and entire concurrence in the resolution before the House. In the high position he had occupied in the Government of Ireland, the result of his careful watching of all the circumstances in which that unhappy country was placed had been, that the effect of the laws, which it was the remote object of this resolution to repeal, was, not to secure, but rather to endanger, the existing institutions both of Church and State. He would concur with his noble relative (the Duke of Wellington) in requiring securities from the Roman Catholic body, on repealing the existing disabling statutes ; but at present the dangers and difficulties of the case were mainly identified with the so-called securities of those very statutes. The sooner these were parted with the better.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, I rise with much reluctance, and under extreme difficulty, to address your Lordships on this most important subject. I feel particular concern in being under the necessity of following my noble relative and of stating that I differ in opinion from him for whom I feel such a sincere affection and regard, and for whose opinions I entertain so much deference and respect. I cannot, however, concur in the view he has taken of this subject ; but I shall proceed to state my own opinions, hoping that in the end the views of my noble relative and myself will not be found to differ greatly from each other. I wish as much as he can do to see this question brought to an amicable conclusion ; but I must say I do not see the means of bringing it to that conclusion by this resolution. I agree with my noble and learned friend (Lord Eldon) that we must see clear and distinct securities given to the State before I can give my vote in the affirmative of this question. My noble relative has said that he too insists upon securities, but that at present the difficulties and dangers consist

in the state of things and in the securities which now exist. I say what now exists has given and will continue to give security to the State. I do not mean to say that difficulties and inconveniences do not attend the existing state of things; I know that such difficulties and inconveniences exist, and I should be glad if they were removed; but before I can consent to put an end to the securities which exist I must see something affording equal security established in their stead.

I am very glad that this debate has been conducted in a tone of the greatest good temper, and there is nothing I shall say that will tend to disturb that good temper. I cannot avoid adverting, however, to something that has passed in the course of this debate. The noble Marquis (Lansdowne) who introduced this motion to your Lordships adverted to something I said on a former occasion, so long back as nine years ago;\* indeed the only occasion on which I have ever addressed your Lordships on this subject. In alluding to the existing state of things in Ireland I referred to the transactions of a former period. These could not, and cannot, be left out of the question; and I expressed my apprehension that any mistake which we might make might lead to fresh confiscations. I believe that when I spoke on that occasion I stated, as I state now, that it was my most anxious wish that there should be some amicable settlement. I did apprehend, my Lords, that such consequences might occur, if we were brought to make concessions before securities were given to the State; but I never said otherwise than that I wished for an amicable settlement of this question. I must say, my Lords, that I, for one, have never seen any particular objection to these concessions on the ground of the doctrines of the Roman Catholics. My Lords, I have never objected to the Roman Catholics on the ground that they believe in transubstantiation, or in purgatory, or in any other of those peculiar doctrines by which they are distinguished,—doctrines with which a Most Reverend Prelate (Canterbury) conceived it to be his duty to find fault. But I have objected to the admission to offices of trust and power of persons believing in those doctrines, because the conduct and opinions of those persons was considered in other respects to be inconsistent with the principles of the Constitution and the safety of the State.

I consider this question, as the noble Marquis considers it, to

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\* May 17, 1819. See p. 103.

be a question entirely of expediency. This understanding of the question is an answer to all that the noble and learned Lord (Eldon) has said with respect to civil power and political rights. The noble and learned Lord will admit that the question turning upon 'expediency,' the claim of 'right' cannot come under consideration. The question, then, is one merely of expediency ; and I ground my opposition not on any doctrinal points, but on the Church government of the Roman Catholic religion. My Lords, I do not intend on the present occasion to enter into any detail, because I do not wish to say anything invidious, or which might hurt the feelings of any man ; but I must nevertheless observe, that nobody can have looked into the transactions in Ireland for the last hundred and fifty years without at the same time seeing that the Roman Catholic Church has acted on the principle of a combination ; that this combination has been the instrument by which all the evil that has been done has been effected ; and that to this cause the existing state of things in Ireland is to be attributed. My Lords, the noble Marquis has talked of the aristocracy being powerless, and of the people being powerful, but under the influence of their priests and demagogues ; and he has attributed this condition of things to the state of the law rather than to the combination to which I have referred. I do not think that the state of the law can account for this condition of things ; but the combination to which I have referred certainly will.

We are then told, be the cause of the evil what it may, that Catholic emancipation is the remedy. My Lords, I am afraid that if, in addition to Catholic emancipation, we were to give up to the Roman Catholics in Ireland the Church establishment in Ireland, we should not have found a remedy for the evil produced by this combination, unless we could find the means of connecting the Roman Catholic Church with the Government of the country. But, my Lords, we are told that there are securities. I am willing to admit, my Lords, that from the moment that this question was first discussed in this country, from the time of the Union to the present day, those who agitated it in Parliament have always stated that securities ought to be required ; it is also perfectly true that the Right Honorable gentleman under whose auspices the Union was brought about, and who supported this question, stated, in the very letter alluded to by the noble and learned Lord (Lord Plunkett), and I believe also in Parliament, that provision must be

made to secure the State, including, of course, the Church of England as established by law, its rights, privileges, and churches ; its union with the State ; the King's supremacy, and the denial of the claim of any other person whatever to any power or authority within this realm. But I likewise know that that Right Honorable gentleman never stated in the Cabinet, or elsewhere, what, in his opinion, ought to be the nature of those securities. I have talked with those who were very intimately acquainted with that Right Honorable gentleman, and who have held frequent conversations with him on that subject, and I have never yet been able to hear what securities they were that he had in contemplation.

My noble and learned friend on the woolsack has given us a history of the securities which have been proposed for consideration ; and I will not follow him, or destroy the effect of what he said, upon that part of the subject. But I beg leave to remind the noble Marquis and the noble and learned Lord on the cross-bench (Lord Plunkett) of a fact which they cannot deny, that the Catholics themselves have all along objected to all securities. But the noble and learned Lord tells us that we ought not to attend to what we hear in Ireland on this subject. Now, though he may know that this is the case, I do not see how we, in this country, and in this House, are to get at this knowledge ; or, indeed, how the people of England are to become acquainted with it. These things may be known to the noble and learned Lord, but I do not see what we can do but believe what we hear ; and he cannot, therefore, be surprised that we, who feel strongly on this subject, should wish to feel secure as to the safety of the Church and the State, before we venture to proceed on such an experiment as this. My Lords, I am very much afraid that the Roman Catholic religion in its natural state is not very favorable to Civil Government in any part of Europe ; and I must beg your Lordships to observe, that in all the countries of Europe the Sovereigns have, at different periods, found it necessary, as has been stated by my noble and learned friend (Lord Colchester) on the cross-bench to-night, to call upon the Pope to assist them in the government of their people. The Roman Catholic sovereigns in Europe, as much as three hundred years ago, obtained a *Concordat*, a treaty or instrument, or whatever it might be called, from the Pope, by which they acquired that power which it was necessary for the Civil Government to have over the clergy of the country ; and

besides this, these treaties all contained the means of establishing that superintendence and control over the communication between the Pope and the clergy of the country, without which it would have been impossible for the civil power to exist. The Protestant sovereigns who, subsequent to the French Revolution, obtained the possession of territories which theretofore had been in the possession of Catholic sovereigns, and of which the population was of the Roman Catholic persuasion, found themselves obliged to obtain a Bull from the Pope, giving them the means of restraining the clergy of the Catholic Church, and of controlling its communication with Rome ; and I must therefore say, that we, who look with some jealousy at the Catholic subjects of the King in Ireland, have some reason for feeling that jealousy ; and ought not to be accused of bigotry, or of acting upon surmises, when the fact really is, that it has been found that, till some connexion is formed between the Government and that Church in any country in which the Roman Catholic religion exists, the Government cannot be carried on.

That which I have been describing with respect to other countries is also the case in respect to the Emperor of Russia, as has been stated by the noble Marquis (Lansdowne). The Roman Catholic subjects of that Potentate are governed by means of a Concordat, the Emperor having found it necessary, in spite of all his power, to apply to the Pope for his assistance. This being the case, are we then to be told that we entertain a more than necessary apprehension of the consequences we expect to arise from any alteration in Ireland ? I, my Lords, with many others, have recently read the ingenious publication of Mr. Gally Knight ; and I certainly was astonished to find that that gentleman appears to support the opinion, that this course, which has been adopted by the Emperor of Russia, and elsewhere on the Continent, ought to be carried into effect in this free country. But against this I see two very sufficient reasons :—

In the first place, our Church is an Episcopal Church ; in the second place, the sovereign of England is the head of the Church ; and as that head, we are bound to him by the oath of supremacy, by which oath we not only acknowledge his claim to that title, but we abjure the claim to jurisdiction, pre-eminence, or authority, by any other power. I am very desirous, my Lords, that this House should examine in detail some of these Concordats, and then see how far they can agree with the particular circumstances in which

this country is placed, and which, it is said, call for such a proceeding on our part. And I am more particularly desirous that my noble relative should attend to this portion of the subject, on account of some observations that fell from him. I happen to have in my possession a Concordat of the Pope, that was procured by His Majesty as King of Hanover, with respect to his Hanoverian subjects. This instrument, my Lords, is neither more nor less than a Bull issued by the Pope. By this Bull, the Kingdom of Hanover is divided into two dioceses, the one to the right, and the other to the left of the Weser. By this Bull, the Pope makes over to the Bishops all the jurisdiction of the ancient Metropolitans, including that of the Ordinary ; and, in short, every jurisdiction that can, by any possibility, belong to a bishop. The King, likewise, agrees to pay certain salaries to the bishops, deans, and chapters, till His Majesty shall be able to provide them with lands to the same amount ; the parochial clergy are to be paid by fees ; the bishops are to be elected by the chapters, from lists of the natives of the country, to be submitted to His Majesty, from which lists His Majesty is to strike out those names not approved of by His Majesty, leaving, however, a sufficient number for a choice ; and the choice is to be confirmed by the Pope. There can be no doubt, whatever construction may be put on it, that this Concordat is, in fact, neither more nor less than the introduction of the Roman Catholic religion into the kingdom of Hanover.

The same thing has, likewise, been done by the King of the Netherlands in the Low Countries, a Catholic bishop having been admitted into the town of Amsterdam. Upon the whole, I do not blame these Sovereigns ; they have done what they considered they ought for the good government of their dominions, respectively. But what I want the House to advert to, now that it is in possession of these facts, is this, that it is impossible for England to make any such arrangement as this with the Pope ; yet, that some arrangement to secure the influence of the Government over the conduct of the Roman Catholic clergy, and its superintendence and control over their communications with Rome, will be necessary, before the concession of power is made to the Roman Catholics of Ireland, is obvious, when it is considered what power a British subject enjoys, and how uncontrolled, excepting by the law, in comparison with the subject of any other country, watched and controlled as the latter is by the officers of the Government and of the police.

That no other arrangement can be made, I will not take upon myself to say ; I will not say that an arrangement cannot take place, under which the King shall have the power to control the appointment of the hierarchy, and their intercourse with the See of Rome, and which shall connect the Roman Catholic Church in Ireland with the Government. But I will say, that it will be impossible for Parliament, under the present constitution of the country, to allow the King or the Pope to appoint Roman Catholic bishops to dioceses in Ireland, under any arrangement whatever, by way of Concordat, treaty, Bull, or anything of that description. I was anxious to draw your Lordships' attention to this particular part of the subject, because it has appeared to me that it has been but very little understood. If we are to do anything, it must be by legislation, notwithstanding that existing laws have not been carried into execution, and have hitherto afforded us but little security ; if we are again to legislate it must be done fearlessly.

My Lords, I felt anxious not to have addressed your Lordships at all on this subject, and I should have avoided troubling you, if I had not been personally alluded to, and had not thought that many expected that I should address you. I am now anxious to impress on your Lordships' attention, how desirable it is that a discussion on this question should not be renewed, as it cannot lead to any practical result in the existing state of the public mind, and must only tend to distract us, without our being able to come to any decided conclusion.

There is also one fact respecting the state of things in Ireland to which I should wish to call your Lordships' attention before I sit down. From the year 1781 to the year 1791, during which period many troublesome questions with respect to that country were discussed, the Roman Catholic question was, in fact, never heard of ; and so little was the question thought about, that, when my noble and learned friend (Lord Redesdale) brought into the House of Commons at that period a Bill respecting the Roman Catholics of England, it was a remarkable fact that the then Lord Lieutenant of Ireland was not only not consulted on the subject, but actually did not know of this Bill till it was brought into Parliament ; so little did the Catholics of Ireland disturb the public mind at that moment ! If the public mind was suffered to rest ; if the agitators of Ireland would only be quiet ; if the difficulties of this question were not aggravated by these perpetual discussions ;

and if men could have time to reflect upon the state of this question, they might become more satisfied, and it might then become more possible to discover the means of doing something.

The Marquis of LANSDOWNE replied. The House divided: Non-contents, 182; Contents, 137. Majority against the resolution, 45.

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*June 12, 1828.*

VISCOUNT BERESFORD.

Lord DUNDAS inquired whether Viscount Beresford would furnish any explanation of a correspondence which it had been stated that the noble Viscount had been carrying on with the present Government of Portugal; and also whether in such correspondence he was the agent of the Ministry of this country.

Viscount BERESFORD replied that, from his former connexion with that country, he had of course many correspondents in Portugal, but the letters that passed were usually on private business. Sometimes his opinion had been asked on public affairs, but the advice he had given had never been followed. It was quite a mistake to suppose that he had advised Dom Miguel to adopt the course he had pursued; his advice had been directly contrary. He had for years showed his correspondence to the Ministry of this country, and not even Mr. Canning had disapproved of it. The noble Duke at the head of the Government could best answer the last question of the noble Lord.

*THE DUKE OF WELLINGTON* said:

My Lords, I rise to state to your Lordships that my noble friend who has just sat down has shown me the letters he has received from Portugal, and they are mere private letters, such as my noble friend has described them to be, and on topics as immaterial as any I ever read. The last, written after the events in Portugal, desires him to suspend his judgment till he should receive further information; and this letter, my noble friend has told me, he has not answered. As for authorizing my noble friend to write to Portugal the opinions of this Government, I never authorized my noble friend to do any such thing; and I hope your Lordships have too much confidence in my knowledge of what is due to my colleagues, of what is due to the public, and of what is due to His Majesty's Representative at the Court of Lisbon, to suppose that I would authorize any communication to be made to the Government of Portugal, except through our Ambassador, with the knowledge of his colleagues. Every man must use his own discre-



tion respecting his private correspondence ; and I do not believe that any man living could, like my noble friend, have resided twenty years in a country and not have an extensive correspondence with it, and be anxious to keep up the connexions and the friendships. At the same time it is to be expected that in conducting such a correspondence a man will use discretion, and not continue it when it is supposed that his correspondence has considerable influence on the circumstances of that country from his situation in this.

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*June 13, 1828.*

### THE CORN BILL.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, In moving that this Bill be read a second time, it will not be necessary for me to trouble the House at any length, as I had an opportunity on a former occasion to open the details of it to your Lordships ;\* and as the principle of the Bill is not new, it will be equally unnecessary for me to enter into any long explanation regarding it. The principle of it is, to regulate the introduction of foreign corn into the home market by a scale of duties instead of by an entire prohibition under a certain price ; and it is thus the very same principle which the House adopted by a large majority in the Bill of last Session. It ought to be observed, my Lords, that the principle of prohibition was a new principle in this country until the Act passed by the Legislature in the year 1815. Now it appears to me that the corn trade ought always to be regulated by a scale of duties rather than by means of a prohibition ; and it is undoubtedly true that from the year 1815 down to the present time the system of prohibition has been found exceedingly inconvenient. Indeed, on a variety of occasions it has become necessary for the Government to interfere to introduce corn by proclamation into the country ; to prevent, on the one hand, the price of it from rising to such a height as would inflict distress upon the consumer ; and to prevent, on the other, such a subsequent influx of corn from foreign ports as would be equally prejudicial to the home grower, from the superabundant supply which it would throw upon the market. On this ground it is that the resolution

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\* See p. 149 *et seq.*

to let in foreign corn by a scale of duties, rather than to keep it out by a system of prohibition, has been adopted; and the trial which was made of the plan by the Bill of last year has been sufficient to show that the alteration of our system has been productive of advantage to all parties. The various interruptions which it was necessary to give to the old system of corn laws were found equally inconvenient to the Government and to the corn-growers. They occasioned great complaints on the part of the people at large, who said that the system flung them out of employment; they occasioned great jealousy to the agriculturists; and they occasioned no small remonstrances from foreign powers, and so on. For these reasons I am anxious that your Lordships should adopt a system which will leave the trade in corn to regulate itself, rather than continue to act upon a system which compels the Minister of the day to recur occasionally to the arbitrary, if not to the illegal practice, of letting in corn by a proclamation of the Crown.

The present is not exactly the occasion to discuss the amount of the scale of duties. I stated on a former occasion that, in my opinion, the scale of duties was sufficiently high to effect all the purposes for which they were intended. If in the course of the discussion any noble Lords shall think it right to object to them, I hope that your Lordships will allow me hereafter to give such answers as I may deem necessary. The remainder of the Bill relates to the manner of taking the averages, and is nearly a copy of the Bill of last Session. The only alteration which has been made in it is, to enable us to apply the averages to the new scale of duties, instead of applying them to the old system of prohibition. The Bill of last year provided for the taking of the averages every three months; the present Bill provides for the taking of the averages every six weeks.

Having stated thus much, I have no further observations to make to your Lordships, except to move that this Bill be now read a second time.

The Earls of LAUDERDALE and MALMESBURY were convinced that this measure would prove highly prejudicial to the best interests of the country.

Earl STANHOPE considered the Bill injurious to agriculture, to the tenants, the landlord, the Constitution, and the Government. He would move, therefore, that this Bill be read a second time this day six months.

Lord REDESDALE objected to the Bill as giving a wider field for the speculations of the Warehousing system.

*THE DUKE OF WELLINGTON* said :

My Lords, it really appears to me that the House should agree to the principle on which the present Bill is founded. I know of no objection to that principle ; the only difference is as to the mode of applying it ; and I really think that nothing has been proved against the mode proposed. My noble and learned friend (Lord Redesdale) who spoke last talked of the inconvenience of the Warehousing system. I must say, however, that much less inconvenience will be felt in that respect than in the Bill of last year, in consequence of the scale rising every 1s., by which the price of corn in England is brought much nearer to what the corn when released from bond would cost. I beg the House to observe, that under the law of 1815, that of absolute prohibition, whatever quantity of corn there might be warehoused, that corn was, at a certain price, admitted without payment of duty, or, at least, on payment of a very small one, unless under an Act which has since passed. Corn, however, when it now comes out of bond pays a duty ; for the price of corn could never rise so high as to allow it to be admitted without a duty. Therefore, as my noble friend wishes, speculation in the Warehouse system would be much less under this Bill, if it should pass, than under the former Acts.

Another point to which I wish to advert is in reply to what a noble friend on the cross benches (the Earl of Malmesbury) stated respecting the duties on oats and barley. It is perfectly true that when the subject was under discussion in the House of Commons last year the duties on oats and barley had been altered in relation to wheat ; but it was considered that the proportion had been too much altered, and that in all probability oats and barley had been unduly favored with relation to wheat, and that at all events sufficient protection was afforded by the Bill of last year. When His Majesty's Government came to bring the subject under consideration with a view to the introduction of this measure, the Government found that they could not go higher without giving an undue protection to oats and barley, because your Lordships will observe that, with respect to oats, the agriculturists, in common with the rest of this community, are interested in keeping the price moderate, as they are in all things, but more particularly so as regards oats. Under these circumstances the duty on oats and barley was kept exactly at the same rate as by the Bill of last year. My noble friend likewise mentioned the

great importation which had taken place in this year. The truth is that the great part of that importation was oats, admitted by proclamation under the law of 1815. My noble friend likewise mentioned the mode of forming the averages, and not including the Irish corn. It certainly would have been very easy to have altered the whole system of the averages on purpose to include the corn sold in Ireland as well as this country in the averages. Nothing could be more easy than to do that, and then to alter the duty, but the consequence would be a variety of complaints about the total alteration of the former system. It was therefore thought better to keep to the former system, giving a sufficient duty.

The question now is, whether, in all the calculations which have been taken on the subject, your Lordships are inclined to believe that the duty is sufficient. It certainly appears, from experiment, that a very small quantity of corn indeed will be introduced for home consumption at a duty fixed at 62*s.* imperial measure. The greatest quantity of corn introduced under the measure of last year was 140,000 quarters, at a duty of 1*l.* 4*s.* 8*d.*, but a considerable quantity remained in the warehouses on the 1st of May, after the introduction of 140,000 quarters, and came in afterwards at a higher duty. Noble Lords will recollect that the time for the introduction of corn was limited under that measure, and therefore it could not be a fair experiment in one point of view. In the view, however, which we have taken it was a fair experiment, namely, that a duty of 1*l.* 4*s.* 8*d.* did keep a considerable quantity of corn out of the market.

I am sorry to have troubled your Lordships so long, but I thought it necessary to state these circumstances.

The House divided; the second reading was carried by a majority of 86 to 19.

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*June 23, 1828.*

## NEGRO SLAVERY.

Earl GROSVENOR presented a petition for the abolition of negro slavery, and, after dwelling on the course pursued by the Government on that question for some years past, appealed to the noble Duke at the head of the Administration for answers as to, 1st, What were the intentions of the Government with regard to the Colonies which had refused to adopt the Manumission clause? 2nd, What was the existing state of the Mixed Commission for the suppression

of the slave trade : what success had attended its labors, and at what cost had those labors been conducted? 3rd, Was the state of the people of color in the colonies in any way ameliorated?

*THE DUKE OF WELLINGTON* spoke in the following terms :

I will not, my Lords, detain the House by following the noble Earl through the speech which he has delivered, as I intend to confine myself entirely to answering his questions. I may also particularly advert to certain circumstances of insinuation which he has thrown out as to its not being the intention of His Majesty's Government to follow up the Resolutions of this and of the other House of Parliament. I can assure your Lordships that His Majesty's servants in office at that time, and I believe I can answer for the Government that has since existed, although I did not belong to it, and I certainly can state positively that the present Government of His Majesty have always felt an invariable determination to carry into execution the Resolutions of the two Houses of Parliament on this subject. They have felt it their duty to proceed in this business in the sense in which Parliament voted those Resolutions ; that is to say, gradually ; that is to say, with due regard to the peace and tranquillity of those valuable colonies, and with due regard also to the interests of those individuals whose property is situate in those colonies. Having these objects in view, my Lords, his Majesty's servants have proceeded, slowly it is true, but they trust effectually, towards carrying these Resolutions into execution ; and I hope before I sit down to convince your Lordships that some progress has been actually made towards effectuating that object, and that a great deal more has been accomplished in affirming the principle. I wish to make one observation upon what the noble Earl has said regarding the state of irritation which prevails in Jamaica and other of the colonies in respect of these measures. I must say it is natural, considering the interest so many gentlemen of property have in the peace, tranquillity, and prosperity of those colonies, that they should feel acutely and perhaps entertain prejudices on this subject ; and that they should consider it their duty, when they think their property is likely to be invaded, to come forward in its defence. But still I say, notwithstanding their prejudices, and notwithstanding their feelings, it is the duty of His Majesty's Government to persevere in the principle of the Resolutions passed by both Houses of Parliament, and to persevere until we succeed in the objects that we

firmly believe are not less salutary to the proprietors in these colonies than to the slaves themselves.

I can inform the noble Earl that in almost every one of these colonies something has been done for the relief of the slave population, at least in principle. In the island of Jamaica a law of this kind was passed during the last Session of the Assembly. It is very true that His Majesty did not think proper to give his assent to that law, but the noble Earl is mistaken in supposing that His Majesty's assent was not given because those who passed that law had not framed it in accordance with the measures Parliament had recommended. The reason His Majesty's assent was not given was that other subjects were introduced into the law in question, of which His Majesty did not approve. But in respect to the parts of such law applicable to this subject His Majesty's Government were satisfied, and of the principle itself they entirely approved. My claim for the island of Jamaica is, then, that they have adopted in principle a great part of that Order in Council for Trinidad, which was the model of what was required from them. As to the other colonies, some of them have adopted similar regulations. A law recently passed in the island of St. Christopher is perfectly satisfactory also on the greatest number of points proper at this time to be considered, and on the whole I should say that, considering how many objections must naturally have existed in the colonies to them, it is wonderful, in so short a space of time since the subject was first mentioned in Parliament, that so much has been done, and particularly in respect of the principle. Still, as I said before, it is our duty to persevere in carrying into execution all the measures the enforcement of which Parliament has intrusted to us.

The noble Earl has asked a question particularly as to the subject of manumission. Your Lordships, I dare say, recollect that the Court of Policy of the colony of Demerara petitioned against the adoption of that particular part of the Order in Council. This petition was heard before the Privy Council, but the Privy Council have as yet come to no decision upon it. That subject is still, therefore, under the consideration of his Majesty's Government. There is no doubt that it is the intention of Government to carry the principle into execution, but I must beg to observe that this, like every other part of the general question, is a very nice matter and attended with great difficulties. Your Lordships will remem-

ber that no less than four gentlemen have filled the office of Secretary of State for the Colonies in the course of last year. Really it is not possible to come to a final decision on a subject of this kind without having a full consideration of it : and I must frankly own to the noble Earl that his Majesty's Government has not made up its mind as to the mode in which this particular measure shall be carried into execution in Demerara. The principle of manumission has been adopted in some of the larger colonies, as well as in the others.

In respect to the slave trade I must admit that, notwithstanding the treaties made by His Majesty with every maritime power in the world, it still continues to a very considerable and lamentable extent. It is an instance which may well suffice to show us how difficult it is to effect all we wish at once. Here we have treaties with every Power in Europe, and we have spared no pains to induce them to execute those treaties ; we have done everything in the power of this Government to do, yet I am afraid there is no doubt that there is as much trade in slaves carried on in Africa, and in the different colonies in America, excepting of course our own colonies, as there was previous to the abolition of the slave-trade by this country. In other respects I am afraid there are as many human beings imported from Africa as previous to the adoption of any measure by this country for limiting that horrible traffic. I can inform the noble Earl that the Courts of Arbitration have been very active. To Sierra Leone upwards of 100 vessels have been brought for adjudication, and a great portion of them have been condemned. Twelve thousand slaves have been set free, and the whole expense to this country has not exceeded 16,000*l.* a year for many years. I must add, at the same time, that, though those measures have not been effectual, they have not the less zealously been carried into effect.

The last question asked by the noble Earl relates to the people of color. I have the pleasure of stating that in the island of Jamaica the Assembly have passed a law enabling persons of color to hold certain offices, and there are besides various other laws applicable to these individuals giving them all the privileges any person whatever can possess.

I believe I have now gone into all the points on which the noble Earl desired information.

Earl GROSVENOR had listened to the noble Duke's answers with unmingled

satisfaction, but more particularly as regarded the intention of His Majesty's Government to enforce the principle of the resolutions.

*THE DUKE OF WELLINGTON:*

One word only in explanation. I had hoped that I had made myself understood, but the noble Lord has misapprehended me. I did not state my satisfaction that so much had been done, but that the principle had been acted upon: I stated that the House would be gratified to see that the principle had been adopted, not only in the colonies governed by the King in Council, but in the Charter colonies. The very opposition to the measures recommended by Parliament is itself a ground of satisfaction, because, notwithstanding that opposition, the principle has been recognised, and that fact affords a hope that when the colonists begin to consider coolly the advantages likely to result from compliance they will follow the recommendation of Parliament. In some of the colonies the principle has been adopted in full, and the attention of the Governors in all will be directed to the measures of the Legislatures, in order that, if they are not sufficient, additional laws may be passed, so as to avert, or at least to delay, those means of force and violence which some minds, it is said, contemplate. I never, myself, heard of any such means of force and violence, but it certainly is the duty of Government to do all in its power to carry its measures, but with such caution as may ensure the happiness of the inhabitants and the prosperity of the plantations in the colonies.

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*June 26, 1828.*

DUBLIN COAL TRADE.

The Marquis of DOWNSHIRE presented a petition from merchants, traders, and manufacturers of Dublin, complaining that a greater duty on coals had been imposed by an Act of Parliament of 1804 than was justified by the Act of Union.

*THE DUKE OF WELLINGTON* said:

My Lords, It would give me great satisfaction if I could assist in relieving the city of Dublin, but I must say that I think the petitioners have not much cause to complain of this tax, and that if it were taken off the people of Dublin would not derive any great advantage. The whole amount of duty which they pay does



not exceed 5000*l.* per year, the tax being 1*s.* 7*d.* per ton, or 2*s.* 6*d.* a chaldron ; and if that duty were taken off, perhaps they would not gain more than the people of London did by the taking off the duty of 3*s.* a chaldron, which had the effect of raising rather than diminishing the price to the consumer. I think also that the petitioners have not much reason to complain when their situation, as compared with the situation of the manufacturers of other places, comes to be considered. For, my Lords, what is the fact? In Dublin the duty is only 2*s.* 6*d.*, while in London it is 7*s.* 6*d.*, being three times the amount of the cost of the coals at the pit's mouth. In other parts of England and Wales the duty is 4*s.* a ton, or 6*s.* a chaldron ; so that, as regards these places, Dublin also has a most decided advantage. With respect to the Act of Union as bearing on this question, I do not recollect at this moment when the additional duty on coals was laid on, but if it was imposed after a period of twenty years from the passing of that law it is no infringement of the Act of Union, and we are now in the twenty-eighth year of its operation. Under these circumstances, though I should be anxious to do anything for the relief of the inhabitants of the city of Dublin, yet I think they will not suffer much by having the matter postponed for another year. In the next Session, as I intimated on a former occasion, it is intended to be proposed to Parliament that a general inquiry into the state of the coal trade of the United Kingdom should take place, when I shall have great satisfaction, if it be possible, in extending relief not only to the city of Dublin, but to those manufacturers generally upon whose interests the law, as it now stands, is considered to operate so detrimentally.

Lord FARNHAM understood it to be held by the Crown Law Officers in Ireland (to whom he hoped the noble Duke would refer the case), that the Act of 1804 (44 Geo. III.) was a clear contravention of the Act of Union, Article 6.

*THE DUKE OF WELLINGTON* said :

My Lords, after what has fallen from the noble Baron, I will take care that a case shall be submitted to the Law Officers of the Crown in this country for their opinion.

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*June 26, 1828.*

### THE CORN LAWS.

On the motion for the third reading of the Corn Laws Amendment Bill,

The Earl of ROSSLYN thought that this Bill would be much improved, if below 58*s.* or below 61*s.* the descending scale were by steps of 2*s.* instead of 1*s.*, and he would move an amendment to that effect. He also thought the duty on warehoused corn ought to be payable on importation.

*THE DUKE OF WELLINGTON* said :

My Lords, I wish to say a few words upon what has just fallen from the noble Earl, as he has rather taken that part of the Bill on which the most unfavorable impression is to be made, than any other point not calculated to produce such an impression, I mean that part which relates to the duty between 58*s.* and 62*s.* imperial measure. I agree with the noble Earl that this Bill, if it be not one which will encourage agriculture, is an exceptionable Bill, and that it is fit it should be amended. It is my opinion, however, that it will encourage the agriculture of the country, and particularly of Ireland, and I firmly believe that this Bill will be a check to the speculations in foreign corn, and that hereafter, if there be speculations of that sort, they will be rather upon British than foreign corn, and the duty will be high enough to prevent those enormous gains that have been made in speculations of that sort, and in consequence we shall have speculations and trading in home corn. That is my opinion. I shall now advert to the effect of the duty between 58*s.* and 62*s.* imperial. The duty of 58*s.* is higher than in the Bill of last year.

The Earl of ROSSLYN remarked that it was the same as in the Bill of last year.

*THE DUKE OF WELLINGTON* said :

Well then, supposing it to be the same, I will take the calculation from that price, because that price is the point at which the price is the highest and the duty the lowest. Even at that point I should say that the interests of the agriculturists are protected. In what I am now about to observe I shall proceed upon the information received upon the subject of the Bill of last year. I believe that on that subject we have acquired all the information we can obtain. It appeared on the investigation before the Committee that the best wheat could be imported from Dantzic at the price

of 31s. There is a great variety of places from which corn can be imported at a lower price, at some places even for 23s., but in many for 25s. But I shall take the price of corn such as can be introduced into the British market at 31s., and I do not conclude that any quantity will be introduced at a price lower than 31s., because corn of an inferior quality will have to pay a duty calculated on corn of average quality. To that sum must be added 29s. 8d., as the amount of duty, which will bring it to 60s. 8d. That is what is called the protecting price for the agriculturists. I do not mean to say that it cannot be sold at a higher price in the markets of England, but that is the price at which it could be imported, and the seller must have a profit upon it, for his risk and the advance of his capital. It may be taken at a lower price, but I will take it at the average. The duties are made up from low and from high rates of prices so as to form this average. In all probability the corn itself may be at first purchased abroad at a low rate, but then it will have to pay a duty calculated upon that average. Surely, under these circumstances, the sum of 60s. 8d., which is made up at the lowest rate of duty, will give a full protection to the agriculturist. If it is below 57s. the duty is then sufficient to afford protection. At the prices of 31s. 8d., 32s. 8d., 33s. 8d., and 34s. 8d., there certainly must be a sufficient degree of protection afforded by the duty. We do not want it to be more than sufficient. On that ground I shall contend that there ought not to be a change in the amount of the duty. In the discussion of last year it was said that higher up, at 64s. or 66s. imperial measure, sufficient protection was afforded; and I again ask whether we want more than sufficient? I will now say a few words in answer to what has fallen from my noble friend (the Earl of Rosslyn) with respect to the duty on warehoused corn. The object of my noble friend is to have the duty paid on the corn at the time of the importation. That will have the effect of driving the foreign merchant into the ports of the opposite coast to warehouse his corn. Suppose that the importations from the continent can be made at a price that will enable the men who speculate in them to pay the expense of importing either into this country or into any port of the continent. Your Lordships know well that the cost of transfer from the corn ports to this country or the opposite coast is 2s. 6d. or 3s. Now, suppose that the importer who is bringing corn into this country finds that the price is very low and the duty on corn warehoused

here very high, he will naturally be inclined to take it to the opposite coast. If he only waits there till the price is raised 2*s.* he will be a gainer by doing so. He will gain 2*s.* by the increase of price, and 2*s.* by the diminution of duty. Thus by going to the opposite coast he will gain all the expenses of the transfer. This is the objection which I have, my Lords, to lay a duty on corn warehoused in this country. The consequence of such a duty would be that it would become an object to evade the duty at that moment by going into a foreign warehouse, by which the warehouse-keeper here would be deprived of the value of his property. It is useless to attempt to get more than we can oblige a man to pay, and the importer clearly may avoid the payment of a duty on corn warehoused here by carrying it into the warehouses of another country. On these grounds it seems to me much better to allow foreign corn to be warehoused here, since it will be for the advantage of those who have property of that kind in this country to allow it to come in here, and to pay a duty on being brought into the market, instead of its paying a duty on being landed.

The Earl of MALMESBURY could not agree with the noble Duke, that 58*s.* would be a protecting price.

*THE DUKE OF WELLINGTON* said :

In what I said, my Lords, I did not reckon corn as coming here from abroad at so low a price as 31*s.* ; but then I added the expense of carriage (about 3*s.*), and a duty of 24*s.*, which would about bring it to 58*s.*, and at that price I believe the agriculturists would be protected.

Amendment negatived without a division.

Earl STANHOPE moved an amendment to prevent the introduction of foreign grain into this country through the Isle of Man and the Channel Islands.

*THE DUKE OF WELLINGTON* said :

My Lords, no abuse of the law can possibly occur by reason of importations from the islands of Man, or Guernsey, Jersey, Alderney, or Sark, they being tied up by the regulation in the Bill respecting certificates, that the grain is the growth of the particular island from which it shall have been so exported.

Amendment negatived without a division.

Earl STANHOPE moved the addition of several towns to those already standing in the Bill, as towns in which the averages should be taken.

*THE DUKE OF WELLINGTON* said :

I think the amendment of the noble Earl unnecessary. All the Irish corn at present sold in the markets of this country enters into the averages of the towns in which such sales are made. The Bill now before your Lordships is therefore much better than the measure of last year. The amendment proposed by the noble Earl would require that not only the Irish corn sold in this country should be taken into view in forming the averages, but also the Irish corn sold in the markets of Ireland for the home consumption of that country. The effect of that must be quite obvious ; if you make the change proposed by the noble Earl, then the price of grain being in the Irish towns 10 or 15 per cent. lower than in this country, you will completely alter the basis of this measure. To any such alteration I object, and must therefore give to the noble Lord's amendment my direct negative ; not that I object to the noble Earl's resolution upon abstract principle, but because it would be calculated to alter the whole of the proposed system. Originally the places contemplated for this purpose were the maritime towns ; since then others have been added to those recapitulated in the Bill of last year, and others struck out. For these reasons I consider the former measure improved to a certain degree, and that any alteration of the basis of the Bill now before your Lordships would be injudicious.

Amendment negatived without a division.

Earl STANHOPE submitted that Dantzic wheat, with the duty as it now stood included, could be imported at 55s. 8d. per quarter ; which was actually lower than the price of British wheat, although the Dantzic was, in quality, 10s. per quarter better. Such being the case, he would propose various alterations in the ascending scale of duties.

*THE DUKE OF WELLINGTON* said :

This amendment was discussed some time ago, on its proposition by a noble Lord opposite. I shall not, therefore, trouble the House by repeating the arguments already opposed to it. It appears to me that my noble friend has mistaken one point ; namely, that 60s. per quarter is held to be a remunerating price. In some places it may be so : in others 64s. would be deemed the remunerating price ; and in other places so high as 70s. It therefore becomes important to ascertain that fact exactly ; to calculate from the price of grain sold in this country and in foreign countries, and to arrive at such a result as to secure to the home

grower a fair remunerating price. This object will, I think, be attained by the present Bill ; and, until the contrary be proved, I shall oppose any alteration of its provisions.

Bill passed.

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*June 30, 1828.*

### DUBLIN COAL TRADE.

*THE DUKE OF WELLINGTON* said :

I am anxious to take the earliest opportunity of giving my noble relation opposite (the Marquis of Downshire), who presented a petition from Dublin a few days since on the subject of the duty on coals, an explanation of the circumstances to which that petition referred. I have made inquiries on the subject, and find that an additional duty was levied on coals imported into Ireland in 1801, and not in 1804, as stated by the petitioners. This additional duty was imposed on a motion of the Chancellor of the Exchequer for Ireland, who explained to the House of Commons, on making that motion, that an equal duty which had been imposed on the exportation of coals from Great Britain to Ireland had been repealed ; so that, in point of fact, there has been no increase of duty. There has been a change from a duty on coals exported to one on coals imported, but no increase. I have great satisfaction in stating this to my noble relation and the House, because your Lordships must have been anxious to know that, at so early a period after the Union as 1801, not 1804, no infraction of the Union had taken place. The duty which had been imposed in England was, by the alteration in the law, levied in Ireland, in order that the proceeds might be brought to account in the revenue of the latter country. The present explanation, of course, applies only to this ; namely, that there has been no infraction of the Act of Union, and not to the other question, as to the policy of repealing the duty on coals.

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*July 1, 1828.*

### SCOTCH AND IRISH BANK NOTES.

Earl GREY presented a petition from an individual, praying for a Committee of Inquiry before any measure for withdrawing small notes from circulation should be determined on.

*THE DUKE OF WELLINGTON* said :

My Lords, It is not my intention to discuss the subject on the present occasion, considering that on the day after to-morrow there will be a fair opportunity of doing so, upon the motion for the second reading of the Scotch Promissory Notes Bill. But, my Lords, I cannot help saying one word in answer to my noble friend. The measure which will come under the consideration of the House on Thursday next is the complement of the measure adopted in 1826. It is a measure which a Committee of this House, and a Committee of the other House of Parliament, have declared to be necessary in order to carry into completion the measure which was then adopted. It may be very possible that it is not a proper one. But that is a question which will more properly come under consideration when my noble friend brings forward his motion next year. In the mean time the King's servants consider it their duty to present to Parliament this measure, in order to carry into completion that of 1826, which was certainly dictated by sound policy, looking to the period at which it was adopted ; and by no means founded on mere abstract principles. I will go further, and say that I have every reason to believe that there are means at present of carrying it fully into execution ; and moreover, that the circulation of the country will not be by any means diminished by reason of its operation.

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*July 3, 1828.*

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, The object of the Bill of which I have now to move the second reading is to carry into complete execution the law of 1826 ; its intention being to prevent the circulation of Scotch bank notes under the value of 5*l.* within the kingdom of England. This measure comes recommended by the proceedings of two Committees, one of this House, and one of the other House of Parliament ; and these Committees go so far as to say, that if the circulation of these notes cannot be prevented here, and if no provision in law can be made sufficiently strong to restrain such circulation, it would be better to put an end to their circulation in Scotland altogether, notwithstanding the inconveniences which the Committees admit would attend the impediment of their circulation in Scotland. It is quite obvious, and it was so stated by the

Committees, that if such a circulation of one-pound notes were to be permitted within this country, it ought to be the circulation of one-pound notes issued by bankers residing in the north of England, and not in Scotland. It is obvious that it would be a hardship upon the people of England, who must receive those notes, who would be under the necessity of receiving them if circulated, to be obliged to go and seek for their metallic value beyond the frontier. That is, however, not all, for they must not only go and seek for this metallic value from the Scotch banker, who is good security, but, if that system be not prohibited, it is also quite obvious that bank establishments would be set up in all parts of the frontier for the purpose of circulating those notes within England, and thus defeating, by what would be almost a fraud, all or a great part of the object of the measure of 1826. I was abroad at the time that measure was adopted ; but I must say that I concurred in that measure. It was a measure of Lord Liverpool's Government, founded upon the necessity of the time, a necessity growing up to that period, and which, in 1825, had increased to such a degree as to render that measure absolutely essential. And I do not found the necessity of this measure upon any mere theories, which, as stated by a noble Earl (Stanhope) the other day, we ought to avoid, in considering a question of this description. I do not found my opinion of the measure of 1826 upon any such theories ; but I must say, that the experience of the last few years has proved the falsity of another theory, which was stated in a former Committee ; I mean the theory that all is safe provided notes be convertible into gold. I do say that the experience of recent years has proved that theory not true. But that experience has proved, likewise, the truth of another theory, namely, that one-pound notes and gold sovereigns cannot circulate in this country at one and the same period of time. This has been proved by the transactions which have taken place in recent years. If you have gold in circulation, the advantage of which no man can deny, you cannot have one-pound notes.

I have no doubt that the measure of 1826 was one proper to be adopted. It was, however, contended by a noble friend of mine the other day, that that measure inflicted, and would inflict, great distress on the country, which would thereby be deprived of a great part of its trade ; but in making this statement, my noble friend left out of consideration altogether the evils that have been



suffered by the people in consequence of the breaking of one fifth of the bankers in 1825. Another point also, which my noble friend has lost sight of was, that the capital which those one-pound notes formed was, in fact, a fictitious capital, and that, after all, it was that fictitious capital itself which has chiefly been the cause of the ruin at different times entailed upon the country. There is no want of capital in England, nor of currency to put that capital in circulation, and to give all that assistance which is necessary to enable the commerce of the country to spread itself in every proper direction : this fact is proved, first, by the present state of the funds, and next, by there being no hesitation in forwarding any scheme, either in this country or in any other part of the world, that seems to promise any profit to the speculators ; and therefore there can be no doubt that this capital will be used for all honest purposes, if confidence should once be restored. That confidence, however, will never be restored till such a sound foundation be established as the circulating medium of this great country ought to be established upon.

Then I have heard it contended, that, if this system is good for Scotland, why should it not also be extended to England? But between the cases of these two countries there is the greatest possible difference ; and if noble Lords will take the trouble to examine the proceedings of the Committees on the subject, they will find how great is the difference between the circulation in England and Scotland. In the first place, in Scotland the banks are carried on upon a very different footing from what they are in this country ; they are, I will not say more secure, for I believe that none could be more secure or respectable than some of the English country banks, but at least they are founded on a different establishment altogether, and on such a system as we could not adopt in this country. The system of business as it is carried on in Scotland is totally different from what is in use in this country ; because, in Scotland, all the banks operate on or actuate each other ; the natural consequence of which is, that they reciprocally prevent, in one another, any excess of circulation. In this manner (though no doubt they are still open to evils, such as those produced by the occasioning a much more frequent variation in the circulation than there ought to be), yet, on the whole, they work for the prosperity of that country ; and I, therefore, should be sorry to see that system taken away from it. But, at the same

time, I will ask, could these banks exist in Scotland on the footing on which they stand there, if there were not a decided and well-established system of metallic currency in this country?

In my opinion, if the bankers of Scotland were not able to obtain a sufficient quantity of gold coinage from the Bank of England, as much mischief would arise from the one-pound note circulation in Scotland as has arisen from it in England; and in that case, it would still be necessary to have recourse to the measure of 1826. Having said thus much, there is only one question remaining, on which I would trouble your Lordships for a very few minutes; the point to which I allude is the means of executing the measure of 1826 in conjunction with the present Bill, which may be considered as its complement. In order to do this, it will be necessary to state to your Lordships a few calculations which have been made for the purpose of showing what amount of circulating medium there is in the country. I am, however, willing to admit that none of these calculations can be considered as entirely accurate; for, as they are liable to variations, all that can be done is, to take those which appear to bear the nearest approximation to the truth. The general idea is, that a one-pound note is in circulation for a period of four years, though I believe that, by a law, the period is not allowed to exceed three years. From the calculations that I hold in my hand, it appears that in the years 1822, 1823, 1824, and 1825, there were stamped for circulation in Great Britain 9,737,165*l.*, out of which number the Scotch notes amounted to 1,700,000*l.*; to which number is to be added a certain quantity of unstamped notes, which were allowed to circulate in Scotland; deducting the 1,700,000*l.* from the total amount which I have stated, it will appear that the amount in circulation in England is about 8,000,000*l.*, and out of this sum I believe that it is generally understood that one fifth is always held in reserve, and kept out of circulation. I know that others have put this reserved amount at one-tenth, but I believe that, one-fifth is the more correct statement; taking the calculation, then, at one-fifth, the amount will be 1,600,000*l.*; and as one-fifth of the country bankers became bankrupt in 1825, it is of course, clear that their notes also are no longer in circulation; so that to the former 1,600,000*l.* which I have mentioned, there is another 1,600,000*l.* to be added: besides these sums, it is calculated that the amount of 2,500,000*l.* has been withdrawn from circulation by the various

country banks still in existence, so that there is a total of 5,700,000*l.* to be deducted from the 8,000,000*l.* which constituted this portion of the circulating medium in the year 1825.

From this account it will appear that there is in circulation at present 2,300,000*l.*; and of this amount part must have been in circulation since the commencement of the year 1822; that is to say, for a period of about seven years. I think that this calculation approximates as near as can be to the general fact: and if we were to take the amount in round numbers at two millions and a half, I believe we should have a pretty fair account. The next thing that we have to look at is, what circulation the country has, besides the one-pound note circulation. It appears from the papers laid on the tables of the two Houses of Parliament, that the Bank of England has, from the year 1821 to the year 1828, issued bank notes to the amount of 78,813,000*l.*, of which amount there has been paid back into the Bank 50,447,000*l.*, so that there still remains in circulation, of those issues, 28,366,000*l.* This, I will observe, is a calculation, of the accuracy of which there can be no doubt. Between August, 1824, and December, 1825, there has been exported from this country six millions of sovereigns, owing to the depreciation of the one-pound note currency. Deducting this exportation from our total of gold currency, there still remains in circulation about twenty millions, together with an addition of 2,372,000*l.*; or, according to the best calculation I can obtain, the whole amount of the gold currency is 22,475,000. In addition to this, there are eight millions of silver currency, to which may be added an amount of twenty millions in notes above 5*l.* circulated by the Bank of England, and thirteen millions of country notes also above 5*l.*; so that it appears that there are no less than 63,000,000*l.* of circulating medium in the country, independently of the one-pound note circulation, which will remain in circulation till they are recalled or the issue is worn out. In addition to what I have now stated, and just to show what are the means of the country, I will mention that, since the commencement of the gold coinage in 1816, there have been not less than 40,000,000*l.* of gold, and 10,000,000*l.* of silver coined, of which nearly the whole remains in the country, with the exception of the five or six millions that have been exported in the years 1824 and 1825. Feeling, as I do, my Lords, that after the statement I have made your Lordships must have full confidence in the resources of the

country, I cannot allow myself to entertain any doubt of being enabled to carry into execution this beneficial measure, for I must look upon it as such, which I have now the honor of presenting to your Lordships.

Lord CALTHORPE thought the Bill of 1827, of which the noble Duke so much approved, opposed to the principle of the present measure. Further inquiry was needed into the subject of the currency.

Earl FERRERS wished to ask the noble Duke one question: How did he propose to pay a debt contracted in a currency of paper in a metallic currency?

*THE DUKE OF WELLINGTON:*

The noble Lord has, I think, a little misunderstood what fell from me on the subject of the Bill of 1827. I did not mean to express my unqualified approbation of the course then pursued. A variety of reasons, and, in my opinion, very good and sufficient ones, influenced the decision that the measure should not extend to Scotland. The Committee which inquired not only stated its disapprobation of the paper currency generally, but its approbation of the Bill of 1826; and if I am not mistaken, the report of the select body in each House stated that, although it was desirable, under the circumstances, that the paper currency of Scotland should be continued for the reasons stated, yet that, if the measure of 1826 could not be carried into execution without introducing a metallic currency also into Scotland and Ireland, they would prefer that course with all its inconveniencies, rather than fail in establishing a metallic currency in England. As to the question of the noble Earl (Ferrers), all I can say is, that, whether in specie or in paper, I hope that this country will perform all her engagements to the public creditor.

Bill read a second time.

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*July 4, 1828.*

In Committee on the Bill,

*THE DUKE OF WELLINGTON* said:

The object of this Bill is to enforce the payment, at the place of issue, in specie, of bank-notes issued; that is to say, it goes to enforce the payment of them either at the place from which they may be issued, or where there may be regular branch banks established. But it happens in the north and other parts of Ireland that agents are frequently sent to public fairs for the purpose of

purchasing cattle, in return for which they tender promissory notes. Now, as they have no house at hand, it is quite impossible that the agents can discharge the notes at once; therefore, instead of the word 'place,' I will move that the words 'branch banks from whence they were issued' be inserted at the tenth line of the second page.

Amendment agreed to.

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*July 7, 1828.*

On the question that the Bill be read a third time,

The Earl of CARNARVON considered this and the measure of 1826 would have ruinous consequences, and advocated a return to a paper currency.

The Earl of ROSSLYN objected to a clause which allowed common informers to proceed for offences against this Bill.

*THE DUKE OF WELLINGTON* said:

My Lords, I shall certainly pay every attention to the suggestion of my noble friend, and consider all the means of remedying the evil which I admit exists under the clause. But it would be quite impossible to risk the loss of the Bill for another year, by making any alteration in it; and I wish to observe that a clause of the Bill gives the Lords of the Treasury power to remit the penalty. This clause was introduced after the third reading of the Bill in the other House of Parliament, in order to apply a remedy to the evil complained of. If, however, it cannot be remedied by means of the Bill, I shall have no objection to adopt any remedy in order to put an end to the mischief. A noble Earl opposite (the Earl of Carnarvon) suggested that measures should be taken to prevent this Bill extending to drafts drawn on banks for an amount less than 5*l*. I have prepared a proviso for that purpose, similar to that inserted in other Bills of the same nature; and I propose to move it after the third reading of the Bill.

Lord CALTHORPE had a strong objection to the principle of the Bill. Every one must admit that the question of circulation was left in a most unsatisfactory state.

*THE DUKE OF WELLINGTON* said:

My Lords, I have very few words to offer to the House. I beg your Lordships to recollect that this measure is confined to the regulation of the issue of Scotch notes, and therefore does not involve a discussion of matters unconnected with it. On all hands

it is agreed that, if one-pound notes are to circulate in England at all, they ought to be those of English bankers: this is common justice, because their own notes must be most convenient to circulate amongst themselves. The principle of the measure of 1826, of which the noble Lord complains, is by no means new. It was adopted in the year 1797, by an Act of Parliament which prohibited the circulation, at that time, of Scotch notes in England. The same principle was subsequently adopted by two Committees, a Committee of this House and a Committee of the other House, in 1793; and the principle was recognised in an Act brought into the other House in 1823 by my noble friend who then held the office of Chancellor of the Exchequer (Mr. Vansittart, afterwards Lord Bexley). It will be seen, therefore, that the objection goes to a principle which has been repeatedly adopted by Parliament, and at last carried into execution by the Act of 1826, to which the present measure is but a complement. That which occurred between the year 1822 and the year 1826 proves clearly that there is no security in a paper currency convertible into gold so long as there is an unlimited circulation of one-pound notes. The truth is, there were during that period no sovereigns to be found circulating in the country, with the exception, perhaps, of Lancashire. I do not mean to say that there might not have been some to be found here and there amongst private individuals, but gold was far from being in circulation. As things stood at that time, any man was at full liberty to circulate as many notes as he thought proper; and it will be obvious, that with such a state of things, unless you have recourse to a bank restriction, the country must eventually come to that state of distress to which it, in fact, did come in 1825. This I conceive to be the real state of the case; and this is why I consider it necessary to adopt this measure, which is complementary to that of 1826. The noble Lord also says, why not extend to Scotland a measure which is held to be so beneficial to this country? Probably it would be better if the measure were extended to Scotland: but when I say this, I must at the same time state that it is not necessary there, and, it being ascertained that its application to that country would be followed by certain distress, the idea of such an extension of it was abandoned. I, however, am of opinion it is desirable that the issue of notes in Scotland should be limited, and the measure may at a future period be, to a certain extent, applied to that country.

I am thoroughly convinced that, if the measure of 1826 had not been adopted here, the circulation of one-pound notes in Scotland could not have continued without a Bank Restriction Act. This being the case, I do say there never was a measure more sanctioned by reason and experience brought under the consideration of Parliament. As regards the call for inquiry, the subject was most fully investigated before the passing of the Act of 1826, and this Bill is, as I have said before, neither more nor less than a Bill to carry into complete execution the principle laid down in the former Act.

Bill read a third time and passed.

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*July 15, 1828.*

### THE WOOL TRADE.

LORD WHARNCLIFFE, referring to the avowal of the noble Duke (Wellington) on a former evening, 'that he thought the inquiries of any Committee which might be appointed to inquire into the expediency of imposing a duty on foreign wool, could not result in recommending any such duty,' now begged to know whether the noble Duke, after perusing the evidence taken before the Committee since appointed, did intend to propose the imposition of such a duty?

*THE DUKE OF WELLINGTON* said:

My Lords, I certainly must say that, as far as I have perused the papers to which the noble Lord has alluded, they have not induced me to change my opinion in any degree; on the contrary, the opinion which I had formed previously to the appointment of the Committee has been confirmed by the perusal of the evidence. At the same time, after such a mass of information has been collected, and having had but little time to take the evidence into consideration, it would be very improper in me were I to give any pledge on the part of the Government, as to any particular line of conduct which they may adopt hereafter in respect of the article of wool. I must however say, that I think at present it would be very improper for the Government to interfere in any way on this subject; but at the same time these papers have so recently come under my consideration, that I have not been enabled to give them that attention which they deserve; and therefore it would be most irregular in me were I to give any decided opinion in respect of

the question to which they have reference. I must, however, say, that these papers show clearly that a great fall has taken place in the price of wool. They prove clearly that the poorer and lighter lands of this country do not produce much rent, if any rent at all. But, my Lords, I must say also that the fall in the price of British wool has been occasioned in a great degree by the improvement which has taken place in the agriculture of the country, by the measures taken to increase the quantity of sheep, and by the alterations which have been effected in the various breeds. The farmer has endeavoured to increase the size of the sheep, to increase the quantity of sheep, and to increase the quantity of wool; and, by so increasing the quantity, has greatly deteriorated its quality. In the mean time, my Lords, the taste of the country has changed. Persons formerly wore clothes made from cloth of an inferior description, but now they wear only those made of the best quality of cloth, which can only be procured by being manufactured of foreign wool. Under these circumstances, to lay a tax on foreign wool for the purpose of affording what is called protection to English wool in the market, that English wool not being fit for the manufacture of the article which is in general use in the country, would be neither more nor less than to give protection to a useless production, and to encourage the smuggling of an article which suits the taste, and is therefore necessary to the wants, of the people of England.

My Lords, these are the opinions I have formed on this subject from a cursory perusal of the papers before your Lordships, and noble Lords will see, therefore, that I am not very well disposed to adopt any measure to protect this article. I will not enter into further details, as I think I have stated the general outline of what the evidence taken before the Committee appears to establish.

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*July 16, 1828.*

#### ELTHAM AND BUCKINGHAM PALACES.

On the same day the Earl of DARNLEY, after remarking on the recent refusal of a moderate sum for the preservation of Eltham Palace, begged to ask the noble Duke (Wellington) ‘what had been the expense of erecting, and afterwards pulling down, those two gigantic flying tea-chests which formed the wings of His Majesty’s new Palace at Pimlico?’



*THE DUKE OF WELLINGTON* said :

My Lords, In answer to the question put to me by the noble Earl, I beg to say that I cannot tell at present what the expense has been of erecting and pulling down that part of Buckingham Palace to which the noble Earl has alluded. In the course of a few months, however, when the accounts come in, I shall be able to inform the noble Earl on that point. This I know, that it was absolutely necessary to pull down that part of the building in order to render the Palace as complete as it ought to be as the residence of His Majesty ; yet I must say, notwithstanding the expense which has been incurred in building the Palace, that no sovereign in Europe, I may even add, perhaps, no private gentleman, is so ill lodged as the King of this country.

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#### FOREIGN POLICY OF THE GOVERNMENT.

On the same day Lord HOLLAND, pursuant to notice, brought forward his motion respecting the foreign policy of the Government, as connected with the Treaty of Triple Alliance, and the situation of Greece, Turkey, and Russia, in the east of Europe, and that which related to our ancient alliance with the Kingdom of Portugal. He therefore moved, that an humble Address be presented to His Majesty, first, for copies or extracts from the dispatches, conferences, &c., between the Ministers of the three Great Powers with respect to the pacification of Greece ; and afterwards, for copies of the correspondence, &c., respecting the Regency in Portugal in October, 1826.

The Earl of ABERDEEN could not consent to the motion. Some of the papers mentioned had no existence, others had already appeared in the newspapers, and others related to negotiations not yet concluded. When they could be produced, they would be found to justify the course the Ministry had pursued.

Viscount GODERICH entirely concurred with the noble Earl (Aberdeen) both in his reasons for refusing the papers, and in his estimate of their effect when produced.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, Although I am perfectly satisfied with the answer given to the noble Lord by my noble friend the Secretary for the Foreign Department (the Earl of Aberdeen), and by the noble Viscount (Goderich) who has just addressed your Lordships, still I cannot allow this question to be put without troubling your Lordships with a few observations. I do not blame the noble Lord for bringing forward this motion, but I cannot suffer His Majesty's Government to undergo censure because they have not given

occasion for a discussion. Ministers could only have given rise to such a discussion in two ways, either by coming down to Parliament for a vote of credit, which fortunately was not necessary, or by making a communication to Parliament if any particular event had occurred which would have obliged them to apply to the Legislature to grant their aid in support of measures such as it might be the policy of His Majesty to adopt. But it has so happened that Ministers have had no occasion to take either the one step or the other. The noble Lord has, I admit, shown a sound discretion in refraining from bringing this subject before Parliament at an earlier period; and I conceive that Ministers have also manifested a sound discretion in not introducing the question, as they conceived it to be quite unnecessary to take such a step. His Majesty's Government has not sought concealment. No individual has asked a question in this or in the other House of Parliament that has not been promptly answered. Some of my noble friends in this House, or of my Right Honorable friends in the other House, were always prepared to give the necessary explanations on these occasions. Therefore, if your Lordships have had no discussion before this on the subjects which have been introduced, it was because your Lordships did not think proper to have it. In taking that course your Lordships have, in my opinion, exercised a just discretion, and I for one am infinitely obliged to you for not precipitating a discussion of this nature. It is certainly true that those transactions to which allusion has been made are still carrying on, and it would be very inconvenient, with reference to the transactions themselves, with reference to other Powers, as well as with reference to His Majesty's Government, to have those documents laid before the House to such an extent as they ought to be in order to give a perfect view of the subject; for your Lordships must feel that to produce one or two papers with a view to imparting accurate information to the House would be in fact to do nothing. What His Majesty's Ministers anxiously desire is, that when these transactions are brought to a close your Lordships should ask for information; and I can assure you that the fullest information respecting them shall then be laid before you.

With respect to the proceedings to which the noble Earl has referred as being now carried on in the East, I must say that during the time I have had anything to do with the political affairs of this country, which extends over the last fourteen years, it has

been the most anxious object of this Government, and I may say of all Europe, to preserve peace between the Russian and the Turkish empires. My Lords, I state this in the hearing of those who know the fact perfectly well, and who can bear testimony to the truth of the declaration, when I say that not only this Government, but all the Governments of Europe, were anxious to preserve peace between those Powers.

The noble Lord has expressed an opinion of rather a singular nature. He has said that he believes both this Government and the Russian Government wish for the dismemberment of Turkey. Now, my Lords, when I observe that the noble Lord is singular in that opinion, I do not mean to except from my dissent from it even the Emperor of Russia himself, because I am authorised by him, or at least by the Minister of that Monarch, to say that Russia does not desire the destruction of the Turkish empire, or even the dismemberment of it. I would say that the transaction in which I was particularly engaged at St. Petersburg, and which the noble Lord has arraigned in such strong language this night, as well as the transaction of the 6th of July, 1827, was founded on the sincere and anxious desire to maintain peace between those empires. In the instructions which I received, as my noble friend can testify, the preservation of peace was not only the great object specified, but it was in point of fact laid down as the *sine quâ non* of any arrangement that might be entered into. I was absolutely forbidden to make any arrangement with respect to Greece, if measures of force or violence were to be the means by which that object was to be carried into execution. The noble Lord has said, 'If that were the case, then we must have deceived the Emperor.' Why, my Lords, the fact is, that the Emperor saw the instructions; the instructions were shown to the Emperor by myself; and it was there particularly laid down that every exertion should be made to prevent hostilities.

The noble Lord has next observed that Ministers must be a set of drivellers in thinking to carry into effect any beneficial arrangement without force. Perhaps we might have been deceived on this point; but before your Lordships come to a decision you ought to consider in what a situation these countries (Turkey and Greece) were when the mediation was proposed. They had been at war for six years. The Greek navy was supposed to be superior to that of Turkey: the Turks had been unsuccessful; Turkish army after

Turkish army had been destroyed in the Morea ; and that which was essential to the carrying on war in that country, namely, a fleet, was not possessed by the Turks. In such a state of things Government naturally thought that there was some chance of mediating successfully between the two Powers, and it was hoped above all that the originator of the negotiation, Russia, aided by this country, might have secured a peace between Greece and Turkey. Peace was the object then ; peace was the object of the treaty in July last ; peace was the object when I and my colleagues came into the Government in January ; and to restore peace is the object at the present moment. It was with that view that Ministers recommended His Majesty to hold the language which he held to Parliament at the commencement of this Session. They endeavored most strenuously to perform the promise and to realize the hopes which were held out in His Majesty's speech, and if they have failed it was owing to causes over which they had no control ; it arose from the occurrence of circumstances which they could not prevent, and which were occasioned by previous proceedings. In adverting to these circumstances, my Lords, I do not mean to impute blame to any one, but merely to state that they were of a nature which Ministers could not control. Those circumstances happened six weeks before the speech of His Majesty was delivered in Parliament, and before the present Ministers had come into office. My noble friend the Secretary for Foreign Affairs has gone so fully into the subject that it is scarcely necessary for me to say anything more. I would however observe that the war in which the Emperor of Russia has engaged since the meeting of Parliament has made a very material and important change in the affairs of the East, and must necessarily have a great influence on the negotiation which was going on at the time. It must have interfered considerably with the object which that negotiation had in view, namely, an arrangement between the Greeks and the Turks.

Having said so much on this point, I shall now revert to the other subject to which the noble Lord has alluded. On the last occasion on which anything was addressed to Parliament relative to this subject by His Majesty's Government a British force was in possession of Lisbon. It was settled, very properly, that that force was to come away the very moment the Prince Regent arrived in Portugal. The Prince Regent had made certain arrangements in Vienna before he quitted that city,—arrangements to which this

country was not a party, but which were entered into in the presence of the British Ambassador. He had subsequently subscribed to arrangements in this country, as he was passing through on his way to Portugal, to which we were more immediately parties.

I entirely agree with my noble friend (Lord Goderich) in thinking it to be a most extraordinary thing that the Prince Regent did not fulfil and act up to those arrangements. It is indeed most extraordinary that when he arrived in Portugal he should have broken all these arrangements which he had entered into with reference to his Sovereign and his brother, and that too in the presence of those allies before whom he had made them, and whose good will he was interested in conciliating. It is however certainly true that in a few days after his arrival in Portugal he manifested symptoms of his intention to break through those arrangements. The very instant that intention appeared, the British Ambassador at Lisbon did that which alone he could do to show the feelings of his Government: he at once sent away the means which otherwise the Prince Regent would have had to carry more speedily and more securely into execution the plans which he harbored. The British Ambassador immediately sent away the money which had been procured by the assistance of His Majesty's Government for the use of the Prince Regent. The only measure, therefore, that could be adopted under all the circumstances was adopted at once. Besides this, an intention existed to leave the British troops for a short time in Portugal before the Prince Regent manifested his determination to overturn the institutions of his country which he was called on to support, in order that he might have the appearance of receiving the countenance and sanction of the British Government. But the moment his conduct was known those troops were recalled. When at length the Prince Regent threw off all disguise, and declared his intention of assuming the crown of his brother and of taking the title of King, the diplomatic relations between this country and Portugal were immediately broken off, and the British Ambassador retired. Prior to that, however, everything was done that could possibly be done to show how much the conduct of the Prince Regent was disapproved of by His Majesty's Government.

The noble Lord has alluded to the blockade of Oporto, and has complained that that blockade was admitted and notified by the British Government in a hurry. The truth is that it was necessary to respect that blockade in accordance with former decisions, and

on account of our own practice. It became our duty to make the merchants of this country acquainted with the blockade, though it was not notified to us in the regular form in which such transactions are usually notified, and the adoption of which form would have given to the blockade greater extension and effect than it actually possessed. But owing to the suspension of the diplomatic relations between the two countries the notification could not be communicated to us with all the usual regularity. We found it notified, however, in the *Lisbon Gazette*; and we ascertained that in former instances blockades had been respected which were notified in a similar manner. We could not do otherwise than respect this blockade, as on former occasions we have admitted similar blockades to be regular, and this was maintained by a sufficient force. It is true that there were some irregularities in carrying this blockade into execution, the fact being that some ships got out of, and some also got into, the Douro; but as far as the Government was concerned I believe the transaction was perfectly regular, and such as we could not refuse to respect.

No man regrets more than I do, and the noble Lord will I dare say admit that I have some reason to regret, the situation into which Portugal has been brought. No man feels more strongly than I do the advantage of our alliance and intimacy with the Portuguese nation. But I must say that, having carefully looked over all the treaties between the two countries, and considered the transactions on which these treaties have been carried into execution, not only formerly but recently, and particularly during the last thirty years, it appears to me that we have no right to interfere in carrying into execution any particular measure of Government in Portugal. I could quote several instances, and during the last six years especially, when we have positively refused to guarantee the constitution which has existed there, or to interfere with the relations between the Sovereign and the subject, or indeed to have anything to do with the internal concerns of the kingdom of Portugal; and when we find that parties are divided, some being in favor of one particular form and others against it, it is surely the part of a wise Government to wait and see the result of the contest, especially in the case of a Government which wishes to preserve its alliance with that country, before we decide on the line of conduct it may be expedient for us to pursue.

We certainly do find ourselves in this situation; we have recog-

nised the sovereignty of Don Pedro, and, of course, the sovereignty of his daughter, arising from his abdication in her favor. At the same time we have clearly no right to interfere in the internal affairs of that kingdom; certainly not before we know what line the rightful monarch, according to our recognition, may himself take with regard to these events. We have no right, and I will say more, we ought to have no inclination to interfere, until we know what he will do, because we cannot know what course good policy may dictate when we are apprised of his intentions and of his means to carry his object into execution. I can quote not only the instance of our refusal to guarantee the Constitution of 1820, I mean the Republican Constitution, but another instance, still more in point, when our troops lately went to Portugal. I will answer for it that the commander of these troops had positive instructions to interfere in no manner with the disputes and commotions of the country, and that his attention was confined strictly to the proper objects of the expedition, an invasion from Spain by Portuguese deserters.

I have now, as far as I am able, given an answer to the whole of the topics to which I have had occasion to advert in consequence of what has fallen from the noble Lord. Any omission I have made has been already amply supplied by my noble friend the Secretary for Foreign Affairs. I entreat your Lordships to believe that, if we refrain from producing these papers at the present moment, when the proper time arrives there will be no objection on the part of His Majesty's Government to give all the information that can be desired.

The Earl of DUDLEY felt himself bound to express his concurrence in the grounds on which his noble successor in the office of Foreign Secretary (Lord Aberdeen) had founded his refusal to grant the papers which had been moved for.

*THE DUKE OF WELLINGTON* said:

I wish merely to say one word in explanation. The reason stated in the preamble of the Protocol was neither more nor less than that His Majesty had been requested by the Greeks to interpose his good offices to reconcile them to the Porte. The words quoted by a noble Lord were inserted, not on the part of His Majesty, but on the part of one of the other Powers.

Motion negatived without a division.

*July 18, 1828.*

### NEGRO SLAVERY.

Lord SEAFORD presented a petition from proprietors of estates in the West India colonies, resident in Aberdeen, praying for a Commission to go out to inquire into the state of the slave population.

Lord CALTHORPE trusted that the noble Duke (Wellington), to whom he gave the fullest credit for his great efforts to procure from the Allied Powers treaties pledging them to the principle of abolishing slavery, would in Parliament pursue the same energetic and decisive course, for the same noble object. He had been disappointed at the tone in which the noble Duke had lately noticed the reluctance and tardiness of the Colonial Legislatures, in following out the measures of the Imperial Legislature.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, I can assure the noble Lord that, if he imagines that anything which fell from me on a former occasion was meant to cast any reflection on those who are anxious to improve the condition of our colonial slaves, with a view to the final abolition of slavery, he was much mistaken. I said nothing of the kind ; but if anything which may have fallen from me at that time could justify any such construction, I trust that before I sit down I shall convince the noble Lord and the House that I have not disapproved of the conduct of those who submit that the measures in question, so recommended by Government, should be carried into effect. Parliament itself is a party to those measures which they pray may be enforced. The Government proceeded upon the resolution of both Houses, and if I disapproved of the one I must also disapprove of the other. I stated on the occasion alluded to that the principle of the measures recommended by Government was adopted in nearly all the colonies. What I meant was, that by the appointment of protectors of slaves that principle was recognised. The noble Lord must be aware that there is a difference between the adoption of a principle and the adoption of a particular measure involving that principle. The Legislature of Jamaica did adopt the principle of appointing a protector of slaves, though not as was recommended : a protector paid by Government. Their mode of establishing protectors was by committees in the several parishes. I could have wished that this appointment had been upon another plan, but still I am glad that something has been adopted which will give protection to the slave in any manner. It will be the business of the Government and the local authorities to see that



due protection be given; and if the means thus adopted should fail of affording that due protection which the condition of the slaves requires, it will become the duty of those who are bound to see justice done to recommend, from time to time, such measures as will ensure it. This was what I meant when I said that the principle of the measures recommended by Government had been adopted. Now if that be the case, if Jamaica has established a mode of protecting the slaves, how could the noble Lord compare her conduct to that of a soldier who obeys one or two important orders of his commanding officer, and refuses to attend to the others? Jamaica is not bound to obey the orders of a Secretary of State as a soldier is bound to attend, not to one or two, but to all the orders of his commanding officer. The noble Lord does not mean to say that the Jamaica Legislature is not independent? If so, then, if Jamaica be not bound to obey the orders of the Secretary of State, it is a matter of congratulation to find that, in such an important particular, it has adopted the principle of the recommendation made by Government; and also that the Legislatures of the other islands have so far adopted the principle as may lead finally to the accomplishment of the wishes of Parliament and the country on this important question.

The noble Lord has stated that I expressed satisfaction at what had been done. It is true I did; but if the noble Lord has understood by that that I am not disposed to go further, he has quite mistaken me. The Government proposed to the Legislatures of the West Indies such measures as they conceived to be necessary; but when they did so, they knew that they proposed them to Legislatures which possessed the power to adopt, to modify, or reject them. And having that power, Government cannot interfere and force those measures upon them. Does the noble Lord wish us to use force? If so, I tell the noble Lord that we have not the power of enforcing them, even if we wished to do so. We have not the power of governing those colonies by force any more than we have the power of governing this country by force. We can only govern them as this country is governed, by means of laws which are enacted by the sanction of the Houses of Legislature. I want to know then, my Lords, if I am to attempt force, or to irritate them by harsh language, rather than to encourage and persuade them? Certainly I would choose the latter mode, and encourage them to do that which will be alike beneficial to them and to this country,

and which is in accordance with the unanimous wish of the Government, of the Parliament, and of the people of this country.

Having stated thus much, my Lords, and as the debate has turned in a great measure upon what I said on a former occasion, it will not be necessary for me to trouble your Lordships with any further observations. I cannot, however, conclude without reminding the noble Lord that he must not expect that in proportion as the Legislative Assemblies assent to the wishes of this country, in the same proportion laws will emanate from them on the subject, which will bear the test and scrutiny of the acute mind of the noble Lord and of his friends, by coming up to the perfection which the noble Lord has been used to observe in British legislation. Time is necessary for perfection in all things, and legislation is not exempted from this general rule. I must remind the noble Lord that the enactments of those parties who have no such advantages as we have the happiness to possess ought to be treated by us with some indulgence. I will venture to say that all that the noble Lord can reasonably desire will be done without force; and to attempt to exercise force, or to give any other cause of irritation, would only do harm, and retard the accomplishment of the object which the noble Lord is so desirous to attain.

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*July 24, 1828.*

#### THE SINKING FUND.

On the third reading of the National Debt Bill being proposed, .

Lord BEXLEY eulogised the recent Report of the Commons' Finance Committee, which he moved should be laid also before their Lordships. But he differed from them as to their recommendation in no case to apply more than the actual surplus of the year's revenue to the redemption of the National Debt.

**THE DUKE OF WELLINGTON** said:

My Lords, I have no intention to follow my noble friend through all his observations. I rise merely to express my thanks, in which I am sure your Lordships will agree with me, for his intention to move that the able and valuable Report he has alluded to should be laid on your Lordships' Table. I have no doubt that the Report in question contains more information on the subject than any report ever laid before Parliament; and I hope your

Lordships will see in it, as I and my noble friend do, ample proofs of the extent and solidity of the resources of the country, and also of the benefits which will result to the country from a steady perseverance in the plans long, as long as possible, acted on and recommended by that great man, Mr. Pitt, for the redemption of the National Debt. I consider the adoption of them as having already been of great service to the country; and a perseverance in them as the means of enabling your Lordships hereafter to calculate securely on the resources of the country.

I cannot but notice, as your Lordships' attention has been called to the subject, the vast resources which were brought into action by the ability of my noble friend in Parliament; and the surprising extent to which he developed those resources of the country during the late war. I also beg your Lordships to observe with what facility they have so been called out, in consequence of the existence of that great Sinking Fund to which my noble friend has adverted. I will not, in this thin House, point out in detail all the advantages of a sinking fund, nor the manner in which it works. I shall only make one remark, and it is a very obvious one, namely, that the interest we are now paying on all the sums borrowed during the war exceeds but very little 5 *per cent.*; and this fact can only be attributed to the operation of the Sinking Fund, which supported us in our difficulties, though it is now so much abused. I hope the result of this report of the Committee of the House of Commons, and of the discussions which have ensued in the other House of Parliament, and which will, most probably, hereafter take place in your Lordships' House, will put an end to all the fallacies that now prevail on this subject, and convince Parliament and the country that the salvation of the state depends on keeping up an efficient Sinking Fund. Whether there shall be three millions a year, or a larger sum; whether it shall be a fixed sum, or a sum voted annually, is not now the question. I must, however, be allowed to say, that an effective Sinking Fund can only be had from the surplus of revenue over expenditure; from a real efficient surplus income. This, as it appears to me, no man can now doubt; and I must add, that that Minister would not do his duty to the country who did not urge her to ensure such a surplus profit; in the first place, by the most rigid economy, as far as it could be carried; and next, by other measures, by which a surplus could be obtained.

My Lords, I did not intend to have trespassed on your attention so long, but I could not suffer the measure, particularly after the observations of my noble friend, to pass without thanking him, and saying a few words on the subject.

Bill read a third time and passed.

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[THIRD SESSION OF THE EIGHTH IMPERIAL PARLIAMENT.]

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*February 5, 1829.*

### ROMAN CATHOLIC DISABILITIES.

The Session was this day opened by Commission, with a Speech, in which the Catholic Question was adverted to in the following terms :

‘His Majesty recommends that you should take into your deliberate consideration the whole condition of Ireland, and that you should review the laws which impose civil disabilities on His Majesty’s Roman Catholic subjects. You will consider whether the removal of those disabilities can be effected consistently with the full and permanent security of our establishments in Church and State, with the maintenance of the reformed religion established by law,’ &c.

‘His Majesty most earnestly recommends to you to enter upon the consideration of a subject of such paramount importance, deeply interesting to the best feelings of his people, and involving the tranquillity and concord of the United Kingdom, with the temper and the moderation which will best ensure the successful issue of your deliberations.’

In the debate on the Address in answer to the King’s Speech, the Duke of NEWCASTLE begged to ask the noble Duke at the head of His Majesty’s Government, whether it was his intention to proceed on the subject of Roman Catholic disabilities by moving for a Committee to take the same into consideration ; or by bringing on the question by means of a Bill ?

*THE DUKE OF WELLINGTON* said :

I have the honor, in answer to the noble Duke’s question, to inform your Lordships that it is the intention of His Majesty’s Government, according to the course proposed in the Speech from the Throne, to present to Parliament in the course of the present Session a measure for the adjustment of what are called the Roman

Catholic claims. This measure for the adjustment of the Roman Catholic claims will be brought forward in a substantive shape by His Majesty's Ministers without going into a Committee. The measure which it is our intention to propose for the adoption of Parliament will extend to the removal generally of all civil disabilities under which the Roman Catholics labor, with exceptions solely resting on special grounds; and it will be accompanied by other measures rendered necessary by the removal of these disabilities.

The Earl of ELDON deprecated as unconstitutional, and beset by difficulties and danger, the policy which it appeared to be the intention of His Majesty's Ministers to adopt on the Catholic Question.

Earl BATHURST maintained that the difference between the circumstances under which this question had been presented to Lord Liverpool's Government, and those under which the present Administration were called on to deal with it, afforded a full justification of the proposed measure.

Lord REDESDALE accused the Ministry of a want of good faith, and was assured that their Lordships' Table would soon be covered with petitions against the measure.

*THE DUKE OF WELLINGTON* spoke in the following terms:

I am sure, my Lords, that your Lordships will not expect that I should enter upon the present occasion into a detail of the particular provisions of the Bill which His Majesty's Government intend to bring hereafter under the consideration of Parliament. His Majesty has been pleased to announce his desire that you should take into your deliberate consideration the question of removing the disabilities affecting his Roman Catholic subjects, and has particularly pointed out to you the objects to which he wished you to direct your attention, and which he wishes you, if possible, to secure. When I stated to your Lordships the general purport of the measure which the King's servants intended to propose hereafter to Parliament, I always meant that they should receive credit for providing for the particular circumstances stated in His Majesty's Speech, namely, for the security of those institutions which must ever be held sacred in this Protestant kingdom, and which it is the duty and determination of His Majesty to preserve inviolate. I hope that the noble and learned Lord on the cross bench (the Earl of Eldon) will rely upon us for providing, in the measure which we are going to introduce into Parliament, for those particular circumstances to which he has adverted. That noble and learned personage has stated difficulties; but if he will assist us with his great learning I have no doubt but that we shall

be able to remove them. I earnestly entreat that noble and learned Lord to give us the benefit of his co-operation whenever the proposed Bill shall become a matter of discussion among us.

Having said thus much in reply to the noble and learned Lord, I must now advert to what fell from a noble friend of mine on the cross bench (Lord Redesdale), who accused me of a want of faith in bringing forward this measure at present. My Lords, I beg leave to remind you that on the several occasions on which I previously addressed you on this particular subject I invariably stated that I was most anxious for a settlement of it. I considered always, I stated again last year, that a moment of tranquillity was necessary for such a settlement. And why did I consider such a moment to be necessary? Because I wished to conciliate to the question those persons in the country whom I knew to be adverse to it, including those very classes from whom my noble friend tells us we shall soon receive such numerous addresses. The measure which we intend should precede those which I shall afterwards propose is calculated to produce that moment of tranquillity which, in my opinion, is so necessary to conciliate the public to the measure which we intend to propose for the pacification of Ireland. My noble and learned friend on the cross bench tells your Lordships that the proposed measure is inconsistent with the Constitution as established at the Revolution, and another noble Lord concurs in that sentiment. If I was going to propose a measure which would introduce a predominant Catholic power into Parliament I should then be doing that which is clearly inconsistent with the Constitution. But I am not going to do any such thing. There are degrees of power at least. Will any man venture to say that Roman Catholic political influence and power do not now exist in Ireland, in this country, and in Parliament? I address myself more particularly to the noble Lords on the cross bench, and ask them whether Roman Catholic power was not introduced into Ireland by measures of their own in 1792? I ask, have not that influence and power been augmented by some of the noble Lords themselves, the most vehement opposers of these measures?

As such is the case I implore noble Lords to look at the situation of the country and the state of society in Ireland. Whether it has been brought about by the existence of these disabilities or by the Catholic Association I will not pretend to say; but this I will say, that no man who has looked at the state of things for the last

two years will venture to affirm that Government can be carried on in the existing condition of Ireland, and of men's opinions on the subject both in that country and in this. My decided opinion is that it is the wish of the majority of the people that this question should be settled some way or other. It is upon that principle and in conformity with that wish that I and my friends have undertaken to bring the adjustment of it under the consideration of Parliament, and I hope that your Lordships will give us such time as will enable us to bring it forward in that manner, and according to the course pointed out in the Speech delivered by the Lords Commissioners. I hope that you will not take it into consideration by piecemeal, but will wait with patience till it is placed as a whole deliberately before you.

The Address was carried, *nemine contradicente*.

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February 10, 1829.

### CATHOLIC CLAIMS.

The Earl of Longford, upon presenting some petitions against the Catholic claims, complained that the country had been taken by surprise by the Ministerial measure ; and as residing in one of the most disturbed parts of Ireland, from personal knowledge he could say that the state of that country was by no means so bad as the Ministry to serve their own purposes had represented.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, I cannot avoid troubling your Lordships with a few observations on what fell from my noble relative, particularly at the latter part of the remarks he addressed to your Lordships. I shall take care to avoid all discussion of the question of what is called Catholic Emancipation till I submit to your Lordships those measures which it will be the duty of His Majesty's Government in a short time to propose ; but I must say a few words, my Lords, on what fell from my noble relative at the close of his address to your Lordships. My Lords, I ask my noble relative, who has discussed this question so much at large and so minutely, and who is, as well as many other noble Lords, well acquainted with the situation of Ireland, I ask him if he has any measure to propose, if he has ever contemplated any measure which would be a remedy for the various evils under which that country labors ? In the opinion of my noble relative something must be done to afford her

relief. The noble Lord comes from a part of that country in which he says discord and ill-will chiefly prevail. Has he matured any plans then for allaying those evils of which he distinctly admits the existence? I understand he has not. Now, when he blames us for having humbly submitted to His Majesty our advice that it was desirable that the question should be recommended to the consideration of Parliament, has he considered what he himself or what anybody else could propose on this subject, except that Parliament should entertain the proposition suggested in the King's Speech? When my noble friend thus censures His Majesty's Government, I think he should have been prepared with such a measure, unless he thought these discords and disorders might safely be disregarded.

My Lords, my noble relative complains as if I had concealed my sentiments and designs and had taken Parliament by surprise. Now I must beg my noble relative's pardon if I deny this charge by reminding him that I am not guilty, in the first place, of any concealment of my sentiments, for I have repeatedly stated in this House my anxious wish to see the Catholic question settled. In making those declarations your Lordships will remember that I stated my resolution (though this may be, if your Lordships will so have it, mere matter of taste), and it had long been my determination, never to vote for Catholic Emancipation if it were not brought before Parliament for consideration by the Government, acting as a Government; for without such support I considered that the measure would have no probability of success. My noble relative ought to know that ever since 1810 the Government of this country has been formed on a principle which prevented them from bringing this subject under the consideration of Parliament. The first thing I had to do was to obtain the consent of that personage who is more interested by his station, more interested by his duty, and more interested by his obligations, than any other individual in this kingdom in having the question settled; it was necessary that I should obtain the consent of that illustrious individual before the Ministers of the Government could consider the question as a Government measure. Would it have been proper in me, my Lords, to have taken any measures to bring the subject so under consideration, or to have uttered a word on the subject to others, till I had obtained that illustrious personage's consent? I call on my noble relative to answer this question. When he blames me on this subject, because since last July or August, when I had formed my



opinions, I kept silence, talking to no man on the subject, except with permission of the individual I have alluded to, and not till I had obtained his consent to form a Government on the principle of taking this question into consideration, my noble relative ought, in fairness, my Lords, to place himself in my situation ; he ought to see what was expected of me, and then, so far from blaming me for acting as I have done, he would perceive, I think, that if I had acted otherwise I should have been highly reprehensible. When this preliminary question had been decided,—when I received the permission I allude to, enabling me to make a declaration, on my not having made which the accusation of surprise can alone be founded, the commencement of the present Session was so near that it was impossible to make known what had thus occurred, earlier, or in any other manner than by the Speech from the throne.

I thank my noble relative, however, for having given me this opportunity to state these circumstances to your Lordships. The facts are precisely as I have stated them to be, and were the reasons why I never stated before any of these circumstances whatever. A noble Baron (Farnham) now sitting near my noble relative reproached me on a former occasion with the publication of a certain letter of mine. With the publication of that letter I had nothing to do, and the writing it, I must confess, had been better let alone. Indeed I shall take care not to write such a letter again to such an individual ; but as to the publication of that letter having deceived anybody, or that it is of a tenor at all different from what I have now stated to the House, I totally deny.

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*February 12, 1829.*

The Earl of FALMOUTH, having heard that the noble Duke at the head of the Government had said, ‘ that, in his conviction, the majority of the people of England were in favor of settling the question,’ wished to know whether the noble Duke had used such terms, and whether, by ‘ settling the question,’ he spoke of a measure of Catholic Emancipation ?

*THE DUKE OF WELLINGTON said :*

I am sorry the noble Earl was not present at the discussion of the former evening, since the noble Lord states, from report only, some expressions which he supposes me to have then used, and for expressions so used in a former debate thus calls upon me for an explanation. The noble Earl is in this mode of proceeding quite

irregular ; it is quite irregular to refer in this manner to a former debate, at which the noble Lord was not even present. I cannot, my Lords, exactly recollect what words I may have used on that occasion, but I think I said that a great portion of the people of England were desirous of seeing this question brought to an issue. So far, my Lords, I have no objection to repeat and renew the expressions imputed to me, but I think the noble Lord is out of order in referring to a former debate.

The Earl of FALMOUTH denied that he was out of order. He presumed that, if the noble Duke had not stated what he (Lord Falmouth) had attributed to him, he had yet said that a great portion of the English people were desirous of seeing the question brought to an issue.

*THE DUKE OF WELLINGTON* said :

I must repeat my objections, my Lords, to the very irregular mode of statement adopted by the noble Earl. I put it to your Lordships whether such a course is consistent with the order of your Lordships' debates.

The Earl of FALMOUTH thought his question, courteously asked, and the first he had ever put to the noble Duke, rather roughly answered.

*THE DUKE OF WELLINGTON* said :

My Lords, I did not charge the noble Earl with anything but the fact,—the fact that his conduct was not according to the Orders of your Lordships' House. It is irregular, contrary to order, to refer to a former debate and ask explanations. That is the ground on which I stand, and decline to give the required answer. Now, my Lords, I am far from complaining of any want of courtesy, but I complain of the noble Lord being out of order. However, my Lords, I believe that what I did say was, that a large portion of the people wished to see the question settled. I did not use the phrase 'Catholic Emancipation,' which in this instance would have been completely misapplied. But the noble Lord wants to fix one of those cant terms on me, and throw odium upon me, which I protest I have not deserved. When I shall come forward with a plan which I shall have hereafter to submit to your Lordships, that plan will give, I believe, general satisfaction.

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*February 16, 1829.*

Lord COLCHESTER, on presenting a petition against the Catholic claims, called upon the Ministry for a full explanation of the measure which they intended

to bring forward, and expressed his belief that there was no ground for the fears regarding Ireland which they appeared to entertain.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, On the first day of the Session I had the honor of stating to your Lordships the general purport of the measures which His Majesty's servants, by His Majesty's authority, intend to bring before Parliament, and I must beg leave, my Lords, on the present occasion to decline going any farther. I must beg to decline informing the noble Lord whether there is to be one Bill or more than one Bill, and in which House of Parliament the measure in question is to originate. My Lords, the measure will be brought on the responsibility of His Majesty's Ministers. We are already responsible for the advice we have given to His Majesty, and for the recommendation which was contained on this subject in His Majesty's Speech from the throne ; and we shall be responsible, at least in character, my Lords, for the success of the measure we recommend, and which we hope will be adopted by this and the other House of Parliament, and become law.

My Lords, whatever respect may be due, as it certainly is, to the noble Lord, I must assert, as to the charge so positively made, that this measure was recommended under the influence of personal fears and apprehensions, that there is no foundation whatever for it, looking at the existing state of our relations and the general circumstances of the empire. There is no ground for any such fear, my Lords, at present, either in the condition of this country or in that of any other countries. I must distinctly assert that, if there has been any period within the last twenty years at which there was a total absence of danger,—I do not inquire from what cause,—but if ever there was a period during that interval when there has been no occasion for fear, that period is the present. I will not now say what reasons I have for forming this opinion, but I will prove my assertion in the sequel if necessary. It is however perfectly true that it was not fear nor any such motive, my Lords, which induced His Majesty's Ministers to bring forward these measures, but a clear and forcible conviction that it was absolutely necessary that the subject should be taken into consideration by both Houses of Parliament with a view to the settlement of the question.

At the same time, my Lords, I can assure you in acting on this conviction we have undertaken no easy, no agreeable task. I will

not speak, my Lords, of my own sacrifices, for they are trifling compared to those which my noble friends around me have been called on to make, but it is not a little sacrifice, my Lords, to feel myself obliged to differ in opinion from the noble Lord himself on this question. I can assure your Lordships that this difference is most disagreeable to my feelings. But my sacrifices are as nothing compared to those made by my noble friends, and particularly as compared to the sacrifices which have been made by my Right Honorable friend (Mr. Peel) in another place. I cannot conceive any sacrifice equal to that which he has made in bringing his mind to the necessity of determining on lending his assistance to carry the measure referred to. It is obvious, my Lords, that nothing but what he considers to be an imperious sense of duty, arising out of the knowledge of the inconveniences and dangers resulting from the existing state of things in this country and in Ireland, has induced him to lend his assistance in forwarding those measures which, in concert with his colleagues, he hopes to carry into effect.

Under these circumstances I would entreat your Lordships to pause until the question shall come regularly before you. When the measure shall have been so submitted to your consideration you will see whether it is likely to be attended with the dangerous consequences which some persons are disposed to think will result from it; you will see whether there be any proof offered of the real existence of such dangers, and you will finally see whether the carrying of these measures will not place the Constitution of these realms on a better footing than it has been since the Union with Ireland. I will not now enter into the discussion as to whether the consequence of the adoption of the measure for the settlement of the Catholic question will be injurious to that throne, the security and inviolability of which I am prepared to maintain if necessary with the sacrifice of my head, or whether it be likely to produce the effects apprehended by the noble Baron on the cross bench (Lord Colchester); but this I will say, that the questions which have been so propounded ought never to have been put by him.

In conclusion, my Lords, I will take leave to add that the existence of the dangers which some noble Lords seem to apprehend from the settlement of this question they are not able to substantiate; and I pledge myself that whenever the measure comes before your Lordships I shall be prepared to prove that the Protestant

institutions of this country are exposed to greater dangers at present than they possibly can be by the adoption of the measures recommended by His Majesty's Ministers, and which, when they shall have been introduced to your Lordships, will be found to give general satisfaction.

The Earl of ELDON complained that, though the anxiety of the country on the subject must naturally be expected to be great, yet their Lordships had heard nothing from the noble Duke on the opening of Parliament giving the least clue to the nature of the intended measures.

*THE DUKE OF WELLINGTON* said :

I beg my noble and learned friend's pardon. I would wish to remind him that upon the occasion alluded to, I expressly indicated the measures which His Majesty's Ministers had determined to pursue. I then stated, in answer to a question from a noble Lord, that it was the intention of His Majesty's Ministers to bring forward a measure or measures that should have for their object the settlement of what is called the Catholic Question, including the general removal of all disabilities, with certain exceptions founded on special cases ; and that the measure would be attended by other measures that might be rendered necessary by the removal of those disabilities. These are the words, or words to the same effect, which I used on that occasion ; I then declined, and I still beg to decline, giving any further explanation on the subject.

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*February 17, 1829.*

The Earl of FALMOUTH, on presenting several petitions against any further concessions to the Roman Catholics, attributed the recent change in the views of the Government on this subject, not to conviction, but to intimidation.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, I confess that after what passed last evening I should not have felt myself called upon to say more on this subject, nor should I have troubled your Lordships a second time in reference to it, had it not been for the manner in which the noble Earl has just now advanced the charge of intimidation against His Majesty's Ministers. The noble Earl has said that the manner in which we have conducted ourselves in reference to this question was just as if we had said to the Catholics, 'If you give us leave to knock you down, we shall afterwards give

you up all that you demand.' Now I must beg, my Lords, to assure the noble Earl that as to a bargain, or communication, or agreement with any persons, His Majesty's Ministers have made none. They have come forward to this House, as I said yesterday, uninfluenced by anybody; the measures which they propose they propose upon their own responsibility, and from their sense of what they think is due to the country, and to the happiness, the peace, and tranquillity of the empire at large. The noble Earl has upon this and former nights discussed the majorities which have appeared upon the Catholic Question in the House of Commons and in this House at different periods during the last twenty years. I will not follow the noble Earl through his calculations, although I must say that I think even upon these he has arrived at very erroneous conclusions. The noble Earl should have borne in mind the great majorities by which this question has been frequently carried in the other House, and he should, in particular, have considered the very large majority which appeared in the House of Commons in favor of the consideration of this question in the year 1812. The noble Earl should have considered that up to the last year, and by its last votes, the House of Commons was opposed to this House on this question, the majority of the House of Commons being of one way of thinking, and the majority in the House of Lords being of another way of thinking.

With such a state of things before me, I was to come forward at the commencement of the present Session of Parliament to communicate with your Lordships and the other House of Parliament, and to ask your advice upon the state of affairs in Ireland. Now I would desire, my Lords, to know whether, if by going on in this course in the Government and in Parliament there should exist one opinion in the Commons and another opinion in the Lords, the Government offering in the mean time no opinion at all, whether that would not constitute a state of things which should attract the serious consideration of the Government with a view to the adjustment of this question? This I will also say, that I could not take into consideration in the Cabinet any question whatever which was not influenced in some way or other by the state of the Roman Catholics in Ireland, and the difference which existed on the subject between this House and the other House of Parliament. This was one of the evils which we had to contend with, and which my colleagues and myself took into our consideration when we offered

that advice to His Majesty which he has been pleased to accept. If the noble Earl would but for a moment look to the difficulties which were attendant upon this question, not alone in that part of the empire which it more immediately concerns, but in this also, if he knew the difficulties which arose from it in Parliament and in Council, he would see that there were many reasons for bringing it to a final decision, without having had recourse to the unworthy motives which he has attributed to His Majesty's Ministers, and which never, my Lords, existed.

My Lords, I will say this, that it required more firmness of character in my Right Honorable friend in the other House to come forward as a Minister of this country to abandon opinions which he had hitherto maintained, and to urge upon Parliament the adoption of this measure, to which he had been always opposed; to abandon, as it were, his political existence in order to press on the adoption of Parliament this measure; it required, I repeat, more firmness of character on the part of my Right Honorable friend to do that, than it could have required in him to adhere to his old and long-cherished opinions on the subject. It required, I will again say, more firmness of character in my Right Honorable friend to cast away all his former notions, and to follow new opinions when he conceived that their adoption was absolutely necessary for the benefit of the Constitution and the security of the State, than to have continued in that course, for deviating from which he has subjected himself to the most virulent and the most unfounded attacks.

My Lords, I beg pardon for having a second time trespassed on the patience of your Lordships on this subject, but a charge so unworthy and so unjust as that which has been preferred by the noble Lord against His Majesty's Ministers, or indeed against any set of men by whom it was as little merited, I could not suffer to pass unnoticed or without contradiction.

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*February 19, 1829.*

#### THE CATHOLIC ASSOCIATION.

*THE DUKE OF WELLINGTON* spoke in the following terms:

My Lords, It now becomes my duty to move the second reading of the Bill upon your Table for the suppression of illegal and dangerous Associations; and it is my intention in the performance

of this duty to refer as little as possible to the question which for the last two or three hours has been discussed, I must say (with my noble friend on the woolsack) very irregularly. In adverting to the 'Catholic Association,' against which this measure is directed, it is neither my purpose nor my wish to exaggerate its power, or to aggravate the evils arising out of it. Its description is, in my judgment, accurately given in the speech delivered on the first day of this Session, by His Majesty's Commissioners. It is there said that 'His Majesty laments that in that part of the United Kingdom an association should still exist which is dangerous to the public peace, and inconsistent with the spirit of the Constitution, which keeps alive discord and ill will among His Majesty's subjects, and which must, if permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland.' This sentence, my Lords, is followed by the expression on the part of His Majesty of a well-grounded confidence in the wisdom of the two Houses of Parliament 'to commit to him such powers as may enable His Majesty to sustain his just authority.' I feel that I am warranted in stating, that in the original constitution and form of this Society there was nothing illegal; its illegality arises from its acts, and from the language of its members. Its acts consist principally of the levy of a revenue upon His Majesty's subjects, called 'a Rent,' procured, I am afraid, in some instances, by extreme violence, and occasioning many heart-burnings and jealousies among the people. Other acts of the same character are—appointing persons to collect that revenue or 'rent;' nominating others to be treasurers of the sums thus procured; organizing the people, certainly for no good purpose; selecting individuals to superintend such organization; and virtually assuming, in many cases, the government of the country, and, what is more, affecting so to assume that government. I contend that the Association has, besides, expended the rent in a manner inconsistent with obedience to the law, with the preservation of good order, and with the existence of the Constitution. Part of the money collected is appropriated to election purposes; and here I beg leave to draw the attention of some of my noble friends, and particularly of my noble friend heretofore on the woolsack (the Earl of Eldon), to the fact established by the proceedings of this body, of the existence in Parliament of a Roman Catholic influence, and even of the influence of the Association.



I do not mean to discuss the subject further at present, but I beg noble Lords not to forget that fact when they come to the consideration of the measures I shall propose hereafter, and when they are called upon to arrive at a decision on those measures. Besides the money spent, as I have mentioned, for election purposes, to produce the return of particular Members to the Commons' House of Parliament, other sums are laid out in endeavors to control the administration of justice in Ireland. I fully admit the right, and not only the right, but the duty, of every man to watch closely and vigilantly the administration of law and justice; but that right and that duty cannot be conveniently or properly performed by a self-elected, self-erected Association, having large sums at its command, and employing those sums for the purpose of exciting litigation; for the purpose of defending some, of prosecuting others; for the purpose of introducing agents among coroners' juries, and influencing and corrupting the first inquiries into criminal proceedings when information is laid before magistrates. It is quite obvious that proceedings of this description must tend to the tainting of the very fountain of justice itself. The proceedings of such a body, so constituted and so organized, might have the effect of mixing party spirit in every judicial proceeding, of introducing faction among juries, and shaking the public confidence in that tribunal which is the foundation of private rights, and the safeguard of personal liberty. I will not now detain your Lordships by explaining to you the effects which the existence and operations of this Association have had upon Ireland: in my opinion these effects belong more properly to a future discussion, when I shall be required to detail the measures the Government will have to propose after the Bill now on your Table shall have passed. This, however, I must say, that, from all I have seen and read of Ireland for the last two years, I do not believe there is on the face of the globe a country, claiming the character of civilization, in so perilous a condition.

In the discussions that have already taken place on the subject of this Association several of your Lordships have expressed an opinion that the Bill, the second reading of which I am about to propose, is not necessary, because the announcement of ulterior measures in the Speech from the Throne is calculated of itself to put an end to the Catholic Association. That opinion, my Lords, must be founded upon this notion, that the Association speaks the language

and entertains the sentiments of the great body of the Roman Catholics of Ireland. Now, my Lords, I am afraid, from the numbers that have attended the meetings of the Association; from the nature of the speeches there delivered, and to which no objection was elsewhere made; from the patient submission of those who have contributed the rent, that the notion to which I have alluded is well founded. That any noble Lord should attempt to justify such conduct seems to me very extraordinary; and that justification can rest upon one ground only, namely, that the claim of the Roman Catholics to the repeal of the disabilities of which they complain is founded upon right. I cannot but recollect the many discussions upon this great question in this and in the other House of Parliament, and I will venture to assert that no instance can of late years be produced in which what is required by the Roman Catholics has been rested on the ground of abstract right. It has been invariably argued as a question solely of political expediency, and never as a matter of right; and, as a question of political expediency, I submit to your Lordships that the Roman Catholics are not justified in having established this Association, in being parties to the proceedings of the Association, and in submitting to the payment of rent, in order to create a revenue to be employed by the Association. Under these circumstances, therefore, I think your Lordships will be fully justified in carrying into effect that part of His Majesty's Speech which recommends the suppression of the Catholic Association, before you proceed to the consideration of the ulterior measures also referred to in the Address from the Throne.

While I am upon this subject I must make an observation upon what just now fell from my noble and learned friend (Lord Eldon) as to the supposed bargain that is to be made upon this subject. I can assure him that, when I came to the consideration of the whole question, it appeared to me absolutely impossible either for the Government or for the Parliament to take it under its observation, with a view to the repeal of the disabilities (on which my opinion was formed on the state of the case itself), without, in the first instance, and as the first step, putting an end to the existence of this Association. I have not only made no bargain, but I have not even held a conversation with any man in which it was contemplated to purchase concession of the claims by the suppression of the Association. Hereafter the fitness of concession will be dis-

opinions, I kept silence, talking to no man on the subject, except with permission of the individual I have alluded to, and not till I had obtained his consent to form a Government on the principle of taking this question into consideration, my noble relative ought, in fairness, my Lords, to place himself in my situation; he ought to see what was expected of me, and then, so far from blaming me for acting as I have done, he would perceive, I think, that if I had acted otherwise I should have been highly reprehensible. When this preliminary question had been decided,—when I received the permission I allude to, enabling me to make a declaration, on my not having made which the accusation of surprise can alone be founded, the commencement of the present Session was so near that it was impossible to make known what had thus occurred, earlier, or in any other manner than by the Speech from the throne.

I thank my noble relative, however, for having given me this opportunity to state these circumstances to your Lordships. The facts are precisely as I have stated them to be, and were the reasons why I never stated before any of these circumstances whatever. A noble Baron (Farnham) now sitting near my noble relative reproached me on a former occasion with the publication of a certain letter of mine. With the publication of that letter I had nothing to do, and the writing it, I must confess, had been better let alone. Indeed I shall take care not to write such a letter again to such an individual; but as to the publication of that letter having deceived anybody, or that it is of a tenor at all different from what I have now stated to the House, I totally deny.

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*February 12, 1829.*

The Earl of FALMOUTH, having heard that the noble Duke at the head of the Government had said, 'that, in his conviction, the majority of the people of England were in favor of settling the question,' wished to know whether the noble Duke had used such terms, and whether, by 'settling the question,' he spoke of a measure of Catholic Emancipation?

*THE DUKE OF WELLINGTON* said:

I am sorry the noble Earl was not present at the discussion of the former evening, since the noble Lord states, from report only, some expressions which he supposes me to have then used, and for expressions so used in a former debate thus calls upon me for an explanation. The noble Earl is in this mode of proceeding quite

irregular ; it is quite irregular to refer in this manner to a former debate, at which the noble Lord was not even present. I cannot, my Lords, exactly recollect what words I may have used on that occasion, but I think I said that a great portion of the people of England were desirous of seeing this question brought to an issue. So far, my Lords, I have no objection to repeat and renew the expressions imputed to me, but I think the noble Lord is out of order in referring to a former debate.

The Earl of FALMOUTH denied that he was out of order. He presumed that, if the noble Duke had not stated what he (Lord Falmouth) had attributed to him, he had yet said that a great portion of the English people were desirous of seeing the question brought to an issue.

*THE DUKE OF WELLINGTON* said :

I must repeat my objections, my Lords, to the very irregular mode of statement adopted by the noble Earl. I put it to your Lordships whether such a course is consistent with the order of your Lordships' debates.

The Earl of FALMOUTH thought his question, courteously asked, and the first he had ever put to the noble Duke, rather roughly answered.

*THE DUKE OF WELLINGTON* said :

My Lords, I did not charge the noble Earl with anything but the fact,—the fact that his conduct was not according to the Orders of your Lordships' House. It is irregular, contrary to order, to refer to a former debate and ask explanations. That is the ground on which I stand, and decline to give the required answer. Now, my Lords, I am far from complaining of any want of courtesy, but I complain of the noble Lord being out of order. However, my Lords, I believe that what I did say was, that a large portion of the people wished to see the question settled. I did not use the phrase 'Catholic Emancipation,' which in this instance would have been completely misapplied. But the noble Lord wants to fix one of those cant terms on me, and throw odium upon me, which I protest I have not deserved. When I shall come forward with a plan which I shall have hereafter to submit to your Lordships, that plan will give, I believe, general satisfaction.

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*February 16, 1829.*

Lord COLCHESTER, on presenting a petition against the Catholic claims, called upon the Ministry for a full explanation of the measure which they intended

to bring forward, and expressed his belief that there was no ground for the fears regarding Ireland which they appeared to entertain.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, On the first day of the Session I had the honor of stating to your Lordships the general purport of the measures which His Majesty's servants, by His Majesty's authority, intend to bring before Parliament, and I must beg leave, my Lords, on the present occasion to decline going any farther. I must beg to decline informing the noble Lord whether there is to be one Bill or more than one Bill, and in which House of Parliament the measure in question is to originate. My Lords, the measure will be brought on the responsibility of His Majesty's Ministers. We are already responsible for the advice we have given to His Majesty, and for the recommendation which was contained on this subject in His Majesty's Speech from the throne ; and we shall be responsible, at least in character, my Lords, for the success of the measure we recommend, and which we hope will be adopted by this and the other House of Parliament, and become law.

My Lords, whatever respect may be due, as it certainly is, to the noble Lord, I must assert, as to the charge so positively made, that this measure was recommended under the influence of personal fears and apprehensions, that there is no foundation whatever for it, looking at the existing state of our relations and the general circumstances of the empire. There is no ground for any such fear, my Lords, at present, either in the condition of this country or in that of any other countries. I must distinctly assert that, if there has been any period within the last twenty years at which there was a total absence of danger,—I do not inquire from what cause,—but if ever there was a period during that interval when there has been no occasion for fear, that period is the present. I will not now say what reasons I have for forming this opinion, but I will prove my assertion in the sequel if necessary. It is however perfectly true that it was not fear nor any such motive, my Lords, which induced His Majesty's Ministers to bring forward these measures, but a clear and forcible conviction that it was absolutely necessary that the subject should be taken into consideration by both Houses of Parliament with a view to the settlement of the question.

At the same time, my Lords, I can assure you in acting on this conviction we have undertaken no easy, no agreeable task. I will

not speak, my Lords, of my own sacrifices, for they are trifling compared to those which my noble friends around me have been called on to make, but it is not a little sacrifice, my Lords, to feel myself obliged to differ in opinion from the noble Lord himself on this question. I can assure your Lordships that this difference is most disagreeable to my feelings. But my sacrifices are as nothing compared to those made by my noble friends, and particularly as compared to the sacrifices which have been made by my Right Honorable friend (Mr. Peel) in another place. I cannot conceive any sacrifice equal to that which he has made in bringing his mind to the necessity of determining on lending his assistance to carry the measure referred to. It is obvious, my Lords, that nothing but what he considers to be an imperious sense of duty, arising out of the knowledge of the inconveniences and dangers resulting from the existing state of things in this country and in Ireland, has induced him to lend his assistance in forwarding those measures which, in concert with his colleagues, he hopes to carry into effect.

Under these circumstances I would entreat your Lordships to pause until the question shall come regularly before you. When the measure shall have been so submitted to your consideration you will see whether it is likely to be attended with the dangerous consequences which some persons are disposed to think will result from it; you will see whether there be any proof offered of the real existence of such dangers, and you will finally see whether the carrying of these measures will not place the Constitution of these realms on a better footing than it has been since the Union with Ireland. I will not now enter into the discussion as to whether the consequence of the adoption of the measure for the settlement of the Catholic question will be injurious to that throne, the security and inviolability of which I am prepared to maintain if necessary with the sacrifice of my head, or whether it be likely to produce the effects apprehended by the noble Baron on the cross bench (Lord Colchester); but this I will say, that the questions which have been so propounded ought never to have been put by him.

In conclusion, my Lords, I will take leave to add that the existence of the dangers which some noble Lords seem to apprehend from the settlement of this question they are not able to substantiate; and I pledge myself that whenever the measure comes before your Lordships I shall be prepared to prove that the Protestant

institutions of this country are exposed to greater dangers at present than they possibly can be by the adoption of the measures recommended by His Majesty's Ministers, and which, when they shall have been introduced to your Lordships, will be found to give general satisfaction.

The Earl of ELDON complained that, though the anxiety of the country on the subject must naturally be expected to be great, yet their Lordships had heard nothing from the noble Duke on the opening of Parliament giving the least clue to the nature of the intended measures.

*THE DUKE OF WELLINGTON* said :

I beg my noble and learned friend's pardon. I would wish to remind him that upon the occasion alluded to, I expressly indicated the measures which His Majesty's Ministers had determined to pursue. I then stated, in answer to a question from a noble Lord, that it was the intention of His Majesty's Ministers to bring forward a measure or measures that should have for their object the settlement of what is called the Catholic Question, including the general removal of all disabilities, with certain exceptions founded on special cases ; and that the measure would be attended by other measures that might be rendered necessary by the removal of those disabilities. These are the words, or words to the same effect, which I used on that occasion ; I then declined, and I still beg to decline, giving any further explanation on the subject.

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*February 17, 1829.*

The Earl of FALMOUTH, on presenting several petitions against any further concessions to the Roman Catholics, attributed the recent change in the views of the Government on this subject, not to conviction, but to intimidation.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, I confess that after what passed last evening I should not have felt myself called upon to say more on this subject, nor should I have troubled your Lordships a second time in reference to it, had it not been for the manner in which the noble Earl has just now advanced the charge of intimidation against His Majesty's Ministers. The noble Earl has said that the manner in which we have conducted ourselves in reference to this question was just as if we had said to the Catholics, 'If you give us leave to knock you down, we shall afterwards give

you up all that you demand.' Now I must beg, my Lords, to assure the noble Earl that as to a bargain, or communication, or agreement with any persons, His Majesty's Ministers have made none. They have come forward to this House, as I said yesterday, uninfluenced by anybody; the measures which they propose they propose upon their own responsibility, and from their sense of what they think is due to the country, and to the happiness, the peace, and tranquillity of the empire at large. The noble Earl has upon this and former nights discussed the majorities which have appeared upon the Catholic Question in the House of Commons and in this House at different periods during the last twenty years. I will not follow the noble Earl through his calculations, although I must say that I think even upon these he has arrived at very erroneous conclusions. The noble Earl should have borne in mind the great majorities by which this question has been frequently carried in the other House, and he should, in particular, have considered the very large majority which appeared in the House of Commons in favor of the consideration of this question in the year 1812. The noble Earl should have considered that up to the last year, and by its last votes, the House of Commons was opposed to this House on this question, the majority of the House of Commons being of one way of thinking, and the majority in the House of Lords being of another way of thinking.

With such a state of things before me, I was to come forward at the commencement of the present Session of Parliament to communicate with your Lordships and the other House of Parliament, and to ask your advice upon the state of affairs in Ireland. Now I would desire, my Lords, to know whether, if by going on in this course in the Government and in Parliament there should exist one opinion in the Commons and another opinion in the Lords, the Government offering in the mean time no opinion at all, whether that would not constitute a state of things which should attract the serious consideration of the Government with a view to the adjustment of this question? This I will also say, that I could not take into consideration in the Cabinet any question whatever which was not influenced in some way or other by the state of the Roman Catholics in Ireland, and the difference which existed on the subject between this House and the other House of Parliament. This was one of the evils which we had to contend with, and which my colleagues and myself took into our consideration when we offered



that advice to His Majesty which he has been pleased to accept. If the noble Earl would but for a moment look to the difficulties which were attendant upon this question, not alone in that part of the empire which it more immediately concerns, but in this also, if he knew the difficulties which arose from it in Parliament and in Council, he would see that there were many reasons for bringing it to a final decision, without having had recourse to the unworthy motives which he has attributed to His Majesty's Ministers, and which never, my Lords, existed.

My Lords, I will say this, that it required more firmness of character in my Right Honorable friend in the other House to come forward as a Minister of this country to abandon opinions which he had hitherto maintained, and to urge upon Parliament the adoption of this measure, to which he had been always opposed; to abandon, as it were, his political existence in order to press on the adoption of Parliament this measure; it required, I repeat, more firmness of character on the part of my Right Honorable friend to do that, than it could have required in him to adhere to his old and long-cherished opinions on the subject. It required, I will again say, more firmness of character in my Right Honorable friend to cast away all his former notions, and to follow new opinions when he conceived that their adoption was absolutely necessary for the benefit of the Constitution and the security of the State, than to have continued in that course, for deviating from which he has subjected himself to the most virulent and the most unfounded attacks.

My Lords, I beg pardon for having a second time trespassed on the patience of your Lordships on this subject, but a charge so unworthy and so unjust as that which has been preferred by the noble Lord against His Majesty's Ministers, or indeed against any set of men by whom it was as little merited, I could not suffer to pass unnoticed or without contradiction.


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*February 19, 1829.*

#### THE CATHOLIC ASSOCIATION.

*THE DUKE OF WELLINGTON* spoke in the following terms:


My Lords, It now becomes my duty to move the second reading of the Bill upon your Table for the suppression of illegal and dangerous Associations; and it is my intention in the performance



of this duty to refer as little as possible to the question which for the last two or three hours has been discussed, I must say (with my noble friend on the woolsack) very irregularly. In adverting to the 'Catholic Association,' against which this measure is directed, it is neither my purpose nor my wish to exaggerate its power, or to aggravate the evils arising out of it. Its description is, in my judgment, accurately given in the speech delivered on the first day of this Session, by His Majesty's Commissioners. It is there said that 'His Majesty laments that in that part of the United Kingdom an association should still exist which is dangerous to the public peace, and inconsistent with the spirit of the Constitution, which keeps alive discord and ill will among His Majesty's subjects, and which must, if permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland.' This sentence, my Lords, is followed by the expression on the part of His Majesty of a well-grounded confidence in the wisdom of the two Houses of Parliament 'to commit to him such powers as may enable His Majesty to sustain his just authority.' I feel that I am warranted in stating, that in the original constitution and form of this Society there was nothing illegal; its illegality arises from its acts, and from the language of its members. Its acts consist principally of the levy of a revenue upon His Majesty's subjects, called 'a Rent,' procured, I am afraid, in some instances, by extreme violence, and occasioning many heart-burnings and jealousies among the people. Other acts of the same character are—appointing persons to collect that revenue or 'rent;' nominating others to be treasurers of the sums thus procured; organizing the people, certainly for no good purpose; selecting individuals to superintend such organization; and virtually assuming, in many cases, the government of the country, and, what is more, affecting so to assume that government. I contend that the Association has, besides, expended the rent in a manner inconsistent with obedience to the law, with the preservation of good order, and with the existence of the Constitution. Part of the money collected is appropriated to election purposes; and here I beg leave to draw the attention of some of my noble friends, and particularly of my noble friend heretofore on the woolsack (the Earl of Eldon), to the fact established by the proceedings of this body, of the existence in Parliament of a Roman Catholic influence, and even of the influence of the Association.

I do not mean to discuss the subject further at present, but I beg noble Lords not to forget that fact when they come to the consideration of the measures I shall propose hereafter, and when they are called upon to arrive at a decision on those measures. Besides the money spent, as I have mentioned, for election purposes, to produce the return of particular Members to the Commons' House of Parliament, other sums are laid out in endeavors to control the administration of justice in Ireland. I fully admit the right, and not only the right, but the duty, of every man to watch closely and vigilantly the administration of law and justice; but that right and that duty cannot be conveniently or properly performed by a self-elected, self-erected Association, having large sums at its command, and employing those sums for the purpose of exciting litigation; for the purpose of defending some, of prosecuting others; for the purpose of introducing agents among coroners' juries, and influencing and corrupting the first inquiries into criminal proceedings when information is laid before magistrates. It is quite obvious that proceedings of this description must tend to the tainting of the very fountain of justice itself. The proceedings of such a body, so constituted and so organized, might have the effect of mixing party spirit in every judicial proceeding, of introducing faction among juries, and shaking the public confidence in that tribunal which is the foundation of private rights, and the safeguard of personal liberty. I will not now detain your Lordships by explaining to you the effects which the existence and operations of this Association have had upon Ireland: in my opinion these effects belong more properly to a future discussion, when I shall be required to detail the measures the Government will have to propose after the Bill now on your Table shall have passed. This, however, I must say, that, from all I have seen and read of Ireland for the last two years, I do not believe there is on the face of the globe a country, claiming the character of civilization, in so perilous a condition.

In the discussions that have already taken place on the subject of this Association several of your Lordships have expressed an opinion that the Bill, the second reading of which I am about to propose, is not necessary, because the announcement of ulterior measures in the Speech from the Throne is calculated of itself to put an end to the Catholic Association. That opinion, my Lords, must be founded upon this notion, that the Association speaks the language



and entertains the sentiments of the great body of the Roman Catholics of Ireland. Now, my Lords, I am afraid, from the numbers that have attended the meetings of the Association; from the nature of the speeches there delivered, and to which no objection was elsewhere made; from the patient submission of those who have contributed the rent, that the notion to which I have alluded is well founded. That any noble Lord should attempt to justify such conduct seems to me very extraordinary; and that justification can rest upon one ground only, namely, that the claim of the Roman Catholics to the repeal of the disabilities of which they complain is founded upon right. I cannot but recollect the many discussions upon this great question in this and in the other House of Parliament, and I will venture to assert that no instance can of late years be produced in which what is required by the Roman Catholics has been rested on the ground of abstract right. It has been invariably argued as a question solely of political expediency, and never as a matter of right; and, as a question of political expediency, I submit to your Lordships that the Roman Catholics are not justified in having established this Association, in being parties to the proceedings of the Association, and in submitting to the payment of rent, in order to create a revenue to be employed by the Association. Under these circumstances, therefore, I think your Lordships will be fully justified in carrying into effect that part of His Majesty's Speech which recommends the suppression of the Catholic Association, before you proceed to the consideration of the ulterior measures also referred to in the Address from the Throne.

While I am upon this subject I must make an observation upon what just now fell from my noble and learned friend (Lord Eldon) as to the supposed bargain that is to be made upon this subject. I can assure him that, when I came to the consideration of the whole question, it appeared to me absolutely impossible either for the Government or for the Parliament to take it under its observation, with a view to the repeal of the disabilities (on which my opinion was formed on the state of the case itself), without, in the first instance, and as the first step, putting an end to the existence of this Association. I have not only made no bargain, but I have not even held a conversation with any man in which it was contemplated to purchase concession of the claims by the suppression of the Association. Hereafter the fitness of concession will be dis-

cussed, when you have adopted this Bill, which I propose to you, not indeed strictly as standing by itself, but as a measure necessarily preliminary to any debate on the propriety of granting the claims. In fact, in my opinion, any other mode of proceeding would be inconsistent with the dignity of the Crown, and with the honor and character of Parliament. Moreover, I conceive this mode of proceeding absolutely requisite in order to reconcile the subsequent measure I shall have to propose to many good men in this country, who have viewed, not only with distrust, but with dismay, the violence of the proceedings of the Catholic Association. I also entreat your Lordships to reflect that we have the eyes of all Europe upon us, and that we must do nothing that can give any man the slightest ground to believe that we are making any sacrifice, except on the ground of policy and expediency.

Before I proceed to detail to your Lordships, as far as lies in my power, the nature of the measure I propose for your adoption for the suppression of the Catholic Association, I will call your attention for a few moments to what has been hitherto done in order to effect the same object both with respect to this and to other bodies. I believe as far back as the year 1787, it was usual for what was called a Catholic Committee to be in existence in Ireland; but the practice seems to have fallen so much into disuse, that, in 1791, there is reason to believe, from an historical document recently discovered, the names of the members of this Committee were not known. It seldom consisted of more than six individuals, and, as I have said, in 1791 their names were not known either to the Government or to other persons. This Committee has certainly grown to a size of much more importance since that date, and various attempts, at different periods, have been made, both by prosecutions at common law, and by incidental Acts of Parliament, to prevent the meeting of what is now called the Catholic Association. In 1794, as well as in 1824, it was the opinion of the best authorities that the Association was not illegal, either in its form or in its constitution. The Government, however, was fully sensible of the inconvenience of its existence, and, in 1825, a law was passed by Parliament for its suppression. This Act, I believe, was drawn by some of the ablest men and most eminent lawyers that had appeared for a great number of years, two of whom have now seats in this House: my noble friend on the cross bench (the Earl of Eldon) was also then on the wool-

sack. It proved, my Lords, totally inefficient for any purpose for which it was designed ; and, looking at the law as an unlearned individual, it seems to me extraordinary how it ever could have been expected to be effectual. It permitted fourteen meetings of the Association ; and, besides these fourteen meetings, there were six subjects which they might discuss :—1, Religious Worship ; 2, Education ; 3, Science ; 4, Manufactures ; 5, Commerce ; and, 6, Agriculture. Upon these topics a meeting might at any time be held without a violation of the provisions of the statute. Under these circumstances, as it appears to me, it would have been impossible to carry the law into execution in any one instance, notwithstanding the persons intended to be dispersed repeatedly and openly declared their determination to evade it.

I do not blame the Administration existing at that time, or the Government of Ireland, for not carrying this Act into execution. I know there were other reasons than those I have already stated why they could not do so ; and those reasons arose out of the divided state of the Government at that moment, a division which had pervaded their deliberations on every question that arose with respect to Ireland. If your Lordships will look at the progress of this question for some time past you will see the effect of that division. If your Lordships will look back on what has taken place with respect to the Roman Catholic question, for a period of some years, up to the present day ; if you will look at and examine the records of Parliament itself, you will find there has been a growing opinion in favor of that question from the time when the discussions on it were begun by the Right Honorable gentleman under whose auspices it was first brought forward, to the present moment. The question was then put in the form of a proposition submitted to the two Houses, calling on them to declare that they would take the subject into consideration, with a view to removing the disabilities of the Catholics. If noble Lords will consider the opinions of all those members of both Houses who have declared themselves in favor of such consideration of the question, notwithstanding they might differ from the Right Honorable gentleman as to the conclusion to which they might arrive on the question itself ; if you will consider these things, and, at the same time, remember that from that time forward nearly every gentleman who has come into Parliament from that part of the kingdom has taken up the question favorably for the Catholics, and that a great Catholic influence

has been growing up in Ireland, you will see some reason for the difficulties in which the Government has been placed. For many years, for reasons which it is not necessary now to enter upon,—for many years, I say, this question never failed to be touched upon whenever an opportunity was offered. From the year 1811 to the present time that has been the case; and from 1811 a divided Government has existed; and since then this question has been gaining ground. I will not stay now to enter into a detail of the mode in which that divided Government has hitherto acted upon this question; but I will, my Lords, state, that no discussion, whether the question regarded legislation generally, or the amendment of the criminal law, or the tithes, was ever suffered to pass without the introduction of this great question. It did not signify what was the subject of discussion: this question always came under consideration in the course of it; this great question, the close of which I hope we are now approaching. I say, therefore, that I should be highly to blame if I were to cast any imputation on any of the Lords Lieutenant of Ireland, or the officers of the Government, for not carrying into complete execution the law of 1825. It was not their fault, but it was owing to circumstances which attended the existence of a divided Government.

With respect to the Association, and the law by which it was endeavored to put down and suppress that Association, that law failed under the circumstances I have alluded to. I will not state the projects which were proposed to effect that object; but I will say of the measures now before the House, that we do not pretend that these measures are ordinary measures that ought to be adopted on every occasion. On the contrary, we say that they are extraordinary measures, to execute which extraordinary means have been devised, and that we have great reason to hope they will never occur again. We do not propose them as precedents to be adopted, but as precedents to be avoided in future; and we hope that they will only be applied under those particular circumstances which now call them into existence.

I will now state something of the Bill itself. By the first clause, the Catholic Association is declared for ever abolished; by the subsequent clauses the Lord Lieutenant has the power of declaring any association or assembly illegal, and of appointing magistrates to proceed to disperse that association or assembly. These magistrates may consist of any number, but there must not be less than

two. These magistrates have the power to order the assembly to disperse ; and if they do not disperse within a quarter of an hour, the persons not dispersing are liable to be brought before two magistrates, and, on conviction, to be imprisoned for a time specified. There are further provisions which go to deprive any association of the power of collecting money. Such are the provisions of this Bill ; and I trust it will not be liable to the observation which has been made with respect to the Act of 1825, namely, that there is a road open through it, wide enough to admit a coach and four. I hope that if there be any inadvertencies in its preparation they may be remedied ; for my noble friend who made that observation has admitted, that if this Bill be passed, it is desirable it should be passed in such a manner as to render it effectual. I shall not trouble your Lordships with any further observations, but shall simply move that this Bill be now read a second time.

Bill read a second time.

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*February 23, 1829.*

The Marquis of LONDONDERRY presented several petitions in favor of the Catholic claims, and at the same time strongly censured the proceedings of the Catholic Association.

H.R.H. the Duke of SUSSEX complained of the hostile tone which many persons employed when speaking of the Catholic claims.

The Earl of ELDON said the party opposed to these claims had most to complain of. Their motives were stigmatised as ‘factious, base, and unjust,’ though their wish was to be generous enemies to one whose measures had taken the country by surprise, and would, he feared, be ruinous to our Protestant Constitution.

*THE DUKE OF WELLINGTON* said :

My Lords, I will trouble your Lordships with only a few words. It is not my intention to take any part in this discussion, which I must say has been extremely irregular, and contrary to the rules of this House. That such a discussion is irregular, is evident at once from the fact that at this moment no one Peer in this House knows what are the measures speedily to be brought before Parliament. I merely wish to explain as to that letter to which reference has been made by my noble and learned friend (the Earl of Eldon). My noble friend has said that he would oppose me, but that he would be a generous enemy. I beg to say I can never consider him as an enemy, in any light whatever. I cannot forget my



old habits of friendship with my noble friend; and if I differ from him on this subject, I can never lose the feelings of respect which I have ever entertained towards him. My noble friend has referred to my letter to Dr. Curtis, to show that the country has been taken 'by surprise.' I never intended that letter for publication, and with the publication of it I had nothing to do. But my noble friend says that the expressions used in that letter were such as to lead the public to conclude that no measure of concession would be introduced this Session. My noble friend should really, however, recollect that the expressions used there are nearly similar to those which I employed at the close of the last Session of Parliament. How it appears that I intended to surprise the public, when I did not address the letter to the individual to whom it is directed for the purpose of publication, and when, much less, had I any hand in the publication of it, I am at a loss to conceive. My Lords, I cannot sit down without deprecating the spirit in which these discussions are conducted; and I would beg to remind noble Lords that His Majesty, in the Speech from the Throne, recommends us to consider the question with 'temperance and moderation.'

In Committee on the Associations Suppression Bill, the Earl of MOUNTCASHELL pointed out several parts of the Bill as requiring amendment.

*THE DUKE OF WELLINGTON* said:

With regard to the first point suggested by the noble Earl, I beg your Lordships to bear in mind that power is vested, by this Bill, in the Lord Lieutenant, to declare any meeting or assembly unlawful; and upon notice that it is so, to grant a warrant to two magistrates to disperse the meeting or assembly. For the exercise of this power the Lord Lieutenant is responsible, and I believe that the noble Earl will admit that, if he be responsible, he is not likely to issue his warrant to disperse any meeting or assembly held for any purpose of charity, or for promoting education, or for any other beneficial purposes, such as those referred to by the noble Earl. Neither is the Lord Lieutenant likely to disperse a meeting which has a legal and beneficial object, merely because that object is disliked by others. The Lord Lieutenant will be responsible for his acts, under the authority given by this Act of Parliament.

My Lords, with respect to the other point alluded to by the noble Lord, as to seditious sermons, or rather, I believe, the use of churches, chapels, or other places of worship, for the purpose of

holding seditious meetings, and giving publicity to seditious discourses, I beg leave to observe that there is nothing in this Act enabling any person to make use of chapels, or other places of worship, for the purpose of holding seditious meetings, or giving utterance to such speeches and discourses. The words of the Act are sufficient to enable the Lord Lieutenant to issue an order to two magistrates to disperse any such meetings in chapels or elsewhere, and to effect their suppression. Sure I am, my Lords, that the Lord Lieutenant, who is to be responsible to the Government for the exercise of the authority conferred upon him by this Act, will not be disposed to allow seditious meetings to be held in chapels or other places of worship any more than in other places. The noble Lord has adverted to seditious discourses, sermons, and so on; and appears to be anxious to ascertain whether it is one of the objects of the present Bill to prevent them. It is undoubtedly right that every means should be used to prevent the utterance of seditious sentiments in any shape whatsoever. But how does the law stand in this respect? Any person who preaches seditious sermons or discourses is responsible for his act to the law of the land as it stands at present, and will stand, whether the Bill now in question pass into law or not.

Lord REDESDALE suggested that 'lawful associations' should be specially exempted from the provisions of the Bill.

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*February 24, 1829.*

*THE DUKE OF WELLINGTON* said:

My Lords, I have to move that the Associations Suppression Bill be read a third time, and in doing so, I wish to observe that I have considered the amendment yesterday proposed to be introduced into the Bill by my noble friend (Lord Redesdale), which amendment I shall now read to your Lordships:—'Provided that nothing in this Act shall be construed to authorise the suppression of any association assembled for lawful purposes, on the ground of any disturbance of the public peace that may arise in consequence of the intrusion of persons not members thereof.' My Lords, the object of this Act is merely to enable the Lord Lieutenant to prevent and put down seditious assemblies or associations; and the meetings described in the amendment proposed by my noble friend do not come under that denomination. It is true, my Lords, that

meetings or assemblies might be convened under the semblance of the title of lawful associations, and afterwards be converted into seditious meetings, which the Lord Lieutenant would be bound to put down ; but then the sedition or riot must be the act of the parties who got up the meeting. The Lord Lieutenant can have no right to put down associations assembled for lawful purposes, and in which riot or disturbance might be incidentally produced by persons not belonging to these societies, who should intrude themselves for that purpose, and in order to induce the Lord Lieutenant to suppress them. My Lords, there is no doubt whatever that the Lord Lieutenant would not be justified in putting down such meetings ; and if the Lord Lieutenant took such authority on himself, he would depart from the intention and the meaning of this Act. Under such circumstances, my Lords, I conceive this proviso to be entirely unnecessary, even worse than unnecessary, for it in some degree points out a mode of evading or frustrating one of the purposes of the Act. I repeat, the proviso suggested by my noble and learned friend appears to me quite unnecessary. This Act invests the Lord Lieutenant with an authority for the exercise of which he will be responsible to Parliament, and it is therefore extremely desirable that there shall be nothing thrown in his way to impede his jurisdiction, or cast a doubt upon the exercise of his authority.

Viscount MELBOURNE said former Governments had failed in their efforts to put down the Association ; and this attempt could only succeed if accompanied by conciliatory measures.

The Earl of MANSFIELD was clearly of opinion that the Catholic Association should be put down : and he could not bring himself to change the opinions he had ever entertained of the utter inexpediency of admitting Roman Catholics to sit in Parliament, notwithstanding all his confidence in the noble Duke by whom a measure for that purpose was about to be brought forward.

*THE DUKE OF WELLINGTON* said :

Having already troubled the House this evening, I will not now advert to the measure which I shall have the honor hereafter to introduce and submit to your Lordships' consideration. But I can assure the noble Earl (Mansfield) that, when that measure is brought forward, he may rely on it it will be brought forward in such a manner, and be found so complete in itself, as to attain its objects without any of the drawbacks to which my noble friend has referred. I do not rise, however, for this purpose, so much as to

assure the noble Earl that he is entirely mistaken if he supposes that serious efforts were not made by His Majesty's Government last year to put an end to that Association, of which almost everybody then complained. Cases were submitted to the Crown lawyers, not only in Ireland but in this country also, with the view of ascertaining whether the existing law, that is, the Convention Act, or the common law, would enable His Majesty's Government to get the better of the Association. The result of their opinions was a conviction, in the minds of His Majesty's servants, after taking this advice, that they ought not to attempt to take proceedings against the Association under the existing law. It appeared to me, and the other servants of His Majesty, that we had no resource but to come to Parliament and ask for new powers.

In the course of the address I made some nights ago, on moving the second reading of this Bill, I stated the circumstances attending the measure of the year 1825, and the causes of its failure—causes arising not only out of the deficiency of the measure itself, as the noble Viscount (Melbourne) has remarked, but also arising out of the division in the Government, the division in the Parliament, and the difference of opinion between this House and the other on all questions relating to Ireland. My Lords, these divisions it is, in my opinion, which occasioned the existence of the Roman Catholic Association, and contributed to the growth of the evil in that country—an evil which at last has brought on a necessity for the consideration of the whole state of Ireland, and the measures necessary to restore it to what I may fairly call a state of civilized society. I will say again, my Lords, that there is nothing at present to be apprehended in the way of rebellion or of foreign war, or of any danger that can create even common apprehension in the mind of His Majesty's Government; but I must also say that there is existing in Ireland a state of society which cannot be remedied but by taking into consideration the whole state of the country. These are the reasons that induced me and others to make that recommendation to His Majesty, previous to the meeting of Parliament, which His Majesty was graciously pleased to adopt, and direct to be announced in his Speech from the Throne.

Bill read a third time and passed.

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*February 26, 1829.*

LORD PLUNKETT stated what he had understood the intentions of the Government to be, when, in 1825, he had brought in a Bill for the suppression of the Catholic Association of that day.

*THE DUKE OF WELLINGTON* said :

My Lords, I can assure your Lordships that it was not my intention to have taken any part in this discussion ; but in consequence of an observation which has fallen from the noble and learned Lord, I feel myself called upon to say a few words. The noble and learned Lord has stated that when he brought in the Bill, in 1825, for the suppression of the last Catholic Association, he understood that measure was to be followed by another measure of a conciliatory character.

LORD PLUNKETT did not mean to say as a public measure ; it was only the expression of his private opinion that such ought to have been the case.

*THE DUKE OF WELLINGTON* said :

Now that is what I complain of. My noble and learned friend, if he will allow me to call him so, himself intended to propose a measure which he afterwards desisted from doing. I perfectly recollect, in a paragraph of a letter from my noble relative, the then Lord Lieutenant of Ireland, there was mention made of some such proposition. That letter was referred back to the noble Marquis on that particular point ; and he returned for answer that it was not his intention to suggest to the Government that any further measure should follow the one which had been proposed by the noble and learned Lord. I thought it right to say thus much, in justice to the Government, and in order that no misunderstanding on the subject should exist, because, had there been any such engagement, I am sure it would have been fulfilled.

LORD PLUNKETT repeated that his was entirely a private opinion.

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*March 2, 1829.*

### THE OATH OF ABJURATION.

The Bishop of BATH and WELLS presented several petitions against further concessions to the Roman Catholics, and said he was at a loss to imagine how the Protestant constitution of the State could be preserved, or the Oath of Abjuration which their Lordships had all taken be respected, if power was to be given to the Pope in this country.

*THE DUKE OF WELLINGTON* spoke in the following terms :]

My Lords, it is impossible that I can, consistently with my duty, allow the concluding observation of the Right Reverend Prelate to pass unnoticed. I can assure the Right Reverend Prelate that I am as sincerely disposed to pay every attention to that oath as the Right Reverend Prelate, or any other member of your Lordships' House, can be ; and I can further assure him that whenever the Bill hereafter to be introduced into the other House of Parliament shall subsequently come under the consideration of noble Lords, he will find that it will be quite free from anything like an infraction or violation of that oath.

I apprehend that it is not at all necessary I should enter into a detailed statement of the enactments of that Bill at the present moment ; but I repeat my assurance that I shall be able to satisfy every Peer in your Lordships' House that there is nothing contained in it inconsistent with the oath to which the Right Reverend Prelate has adverted. The Right Reverend Prelate, in the course of the observations which he has addressed to your Lordships, seemed to be willing to grant what is called Catholic Emancipation at some future period, when the people of Ireland shall have become more enlightened and more worthy of political freedom. Now, my Lords, I beg to ask, if, according to the creed of the Right Reverend Prelate, Catholic Emancipation, as it is called, is to have the effect of again establishing the errors of Popery over the truths of Protestantism, under what circumstances of knowledge or of education will the Right Reverend Prelate be willing to grant that concession ? I wish the Right Reverend Prelate to tell me how the enlightening of the minds of the people of Ireland, and the introduction of wealth and education into that country, can be rendered an excuse for emancipation, if the inevitable consequence of that emancipation is hereafter to be the propagation of the errors of Popery in this country ? The Right Reverend Prelate and the noble Duke (of Newcastle) express fears as to the results of Catholic Emancipation, which every sensible man in the country knows, or at least ought to know, are wholly unfounded.

I contend, nay, I engage to prove, that when the measure which will shortly be submitted to the other, and subsequently to this House of Parliament, shall be before your Lordships, so far from its being found to tend to establish Popery, it will be calculated to prevent the growth of Popery, and to promote the extension of the

Protestant religion. I repeat, that, instead of establishing, it will tend not only to put it down, but to prevent the growth of Popery altogether. This, my Lords, I engage to prove to the satisfaction of this House, and of the country, if not even to the satisfaction of the Right Reverend Prelate himself, whenever the Bill from the other House shall come up here for discussion. I agree entirely with the Right Reverend Prelate in his declarations upon the subject of the loyalty of the people of England, and as to the strength of their religious sentiments. I rejoice most cordially with the Right Reverend Prelate at the number of petitions they have presented, while they are laboring under serious apprehensions (apprehensions which, I am sorry to say, have been suggested to them) with regard to the intentions, on this subject, of His Majesty's Ministers, who, it is said, mean to adopt a course which will introduce Popery into this country to the prejudice of the Established Church. I say I rejoice to see the people petition, and freely and fairly express their opinions; but when it is found that the Government have no such intention, but, on the contrary, that their object is to secure the ascendancy of Protestantism, and to relieve Ireland from the evils which now oppress that country, I am confident that the people will ultimately declare their satisfaction at the course His Majesty's Ministers have thought it necessary to adopt; and that in the mean time they will conduct themselves with that loyalty, temperance, patience, and wisdom, which characterize them as a nation, although the measures which are in contemplation may not be, at the present moment, perfectly in accordance with their feelings.

My Lords, I am convinced that when the people of England see that there is no fear of the extension of Popery from the measures which ministers have felt it to be their duty to recommend to the sanction of their Sovereign, but that these, on the contrary, will tend to strengthen the Protestant interests of the State, they will hail them as beneficial to all classes of His Majesty's subjects.

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*March 10, 1829.*

#### CATHOLIC CLERGY AND MONASTICS.

The Earl of WINCHILSEA brought forward his motion for returns respecting the Catholic clergy, &c; and said that, after the arbitrary manner in which the noble Duke at the head of the Government had acted upon the Catholic

Question, he would venture to predict that the noble Duke would soon be relieved of the cares of office.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, I have no intention of objecting to the production of any documents which can be produced for the purpose of elucidating the points to which the noble Earl has called the attention of your Lordships. I must, however, observe that the noble Lord, if he supposes that the Government can give him any information on the subject, cannot have looked very carefully into the Acts of Parliament which regulate these matters, either in this country or in Ireland.

From Ireland, my Lords, there will be no such return, as the noble Lord, if he looks into the Acts, will see. In this country, the noble Lord will see by the Act of 1791, which requires that the names should be registered, and that certain oaths should be taken, that there is nothing to show the number of those now existing in the country, of those who have died, or of those who have departed the country. Under these circumstances, my Lords, though it is true that, by looking through various reports of committees, and by referring to various offices, both here and in Ireland, some information may be obtained, yet, officially, we could give no such returns as those which it is the object of the noble Lord's motion to procure. When, therefore, I state that I am willing to give the noble Lord all the assistance in my power, it will be seen that I cannot answer for the time which it will take to procure those returns, or for the accuracy of the returns when they are procured.

Having stated thus much, my Lords, I might conclude, for I am sure that your Lordships will not expect me, at this time, to say anything in answer to what has fallen from the noble Lord with respect to the Bills which have been introduced by my Right Honorable friend (Mr. Peel) into the other House of Parliament, or to enter into a discussion upon the merits of those Bills now. My Lords, I retain the opinion which I have expressed upon those Bills, and I now re-assert what I before stated with respect to those Bills. The noble Lord, I believe, said that the opinion which I gave of those Bills was fallacious ; but I will support that opinion by argument, against that noble Lord, or against anybody else, when the Bills are before the House. In the mean time I



think I shall be excused from saying anything more about those Bills, and from following the noble Lord through the extracts which he has read from a work called, I believe, 'Catholicism in Austria,' which, in some respects, is a highly valuable production, but which can be no authority on this subject, inasmuch as the author has shown himself entirely ignorant of the basis on which the question rests in this country.

My Lords, the noble Lord was then pleased, in conformity with the example of a noble Duke (Newcastle), to accuse me of having carried myself on this question in an arbitrary manner. I believe, my Lords, that I, in conjunction with my colleagues, have done my duty as a Minister of the Crown. Having considered that it was for the interest of the country that this question should be considered and decided in this Session of Parliament, I advised His Majesty to state that which was stated in the Speech from the Throne on the first day of the meeting of Parliament. I afterwards, in conjunction with my colleagues, advised that these Bills should be submitted to Parliament with His Majesty's sanction and support; and, it was by our advice that that sanction and support were given. In acting thus, my Lords, I believe that I have acted as became a Minister of this country. I did not go into a Committee to get their sanction to the measure. No, my Lords, I came forward, and on my own responsibility proposed a measure which, in my opinion, will be productive of benefit, of happiness, and of tranquillity to the country.

It has been said too, my Lords, that I am introducing Popery and arbitrary power. My Lords, I deny the fact. Let the question be fairly and properly viewed, and it will be seen, not only that not one iota of the Constitution or of the religion of the country is changed, but that the measure will tend to strengthen both religion and the Constitution.

My Lords, it is not necessary that I should follow the noble Lord (Winchelsea) through the latter part of his speech, which related principally to the formation of a new Administration, and yet, my Lords, I am unwilling to suffer it to pass unnoticed. In detailing his views on the subject, the noble Lord has announced two intentions, which are not very flattering to the existing Parliament. The first is, to have a new Parliament, and the second is, to reform the Parliament; so that even a new one, unless reformed, will not answer the noble Lord's purpose. I heartily hope that if

the noble Lord is to be my successor in office he will carry his intentions into effect. For my part, I have no intention of adopting either of the measures suggested by that noble Lord; but I have that of persevering firmly in the measure which I have proposed; not entertaining the least doubt that, in honestly persevering, I shall receive the support of your Lordships, and be enabled to carry it to a happy and final issue.

Motion agreed to.

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*March 13, 1829.*

### ROMAN CATHOLIC DISABILITIES.

The Earl of ELDON moved for a return of such persons as from 1st January, 1815, had taken the oaths prescribed for the safety of our Protestant Constitution by the Acts of 31 and 33 George III. The return would show that these oaths had been very generally neglected, and so exhibit the degree of security to be expected from the oaths proposed by the measure on the subject of Roman Catholic disabilities, which the Ministry were now bringing forward.

The LORD CHANCELLOR deprecated the unfairness of indulging in insinuations on a measure not before the House.

Lord PLUNKETT would move, as an amendment, that the return should include the names of such persons also as had taken the oaths required of Protestants by various Acts of Parliament.

**THE DUKE OF WELLINGTON** spoke in the following terms :

It is necessary that I should make one or two observations upon the motion of my noble and learned friend. It is certainly true that a very large number of persons in this country have not taken the oaths prescribed by the Act of 1791; and that a very large number of persons in Ireland have not fulfilled the obligations of the Act of 1793. It is likewise true, as stated by the noble and learned Lord opposite, that many persons have not taken the oaths prescribed by the Act of George I. The question is, whether it is necessary or desirable to expose to injury the persons who have thus neglected to qualify themselves. I would suggest to my noble and learned friend (Lord Eldon), and to my noble and learned friend opposite (Lord Plunkett), to waive their respective motions. I think the best course to pursue will be to pass a Bill of Indemnity for those persons who have not performed the duty enjoined by those Acts: there can exist no good ground

for exposing those persons to injury. I therefore recommend to my noble friend, instead of persisting in his present motion, to introduce an Act of Indemnity.

My noble and learned friend has stated that benefits were granted under the Acts of 1791 and 1793, and that the security required by the State in return for those benefits had not been given, inasmuch as these oaths had not been taken. This cannot be the case under the Bill now under consideration in the other House of Parliament. That Bill requires that a Roman Catholic taking his seat in Parliament, or before appointment to office, shall take the oath. It besides requires from all those enjoying benefits under former Acts that they shall take the oath prescribed in this Bill. It is for these reasons that I suggest the expediency of both noble and learned Lords withdrawing their motions, and uniting their aid in bringing forward a Bill of Indemnity for those who have neglected to perform the obligations enjoined by the statutes which they have cited. This appears to me a far better mode of proceeding than that of exposing the names unnecessarily of a great number of persons, most of whom, I am convinced, are unconscious of their negligence.

Having said thus much on the question now under discussion before your Lordships, I would beg leave to advert shortly to the terms which have been used by my noble and learned friend in advertising to what fell from my noble friend on the Woolsack.

My noble friend (Lord Eldon) appears irritated with my noble friend on the Woolsack for having applied to him the term ‘insinuations;’ but I would just beg leave to remind my noble friend (Lord Eldon) what must be in the recollection of your Lordships, that from the first day of this Session there has been an admission of the expediency of avoiding all *ex parte* discussion on a subject that will in a short time be substantively and formally brought under your Lordships’ consideration. We are all aware of the convenience of such a course, and have deprecated a departure from it. We all agree that it would be far more convenient to delay any remarks upon the measure until (should the present Bill pass through the other House) it comes as a matured measure fairly submitted to the consideration of your Lordships. But the discussion upon this question has been anticipated here, not quite regularly or fairly, by describing it as an attempt to establish Popery, to introduce arbitrary power, as an attempt to subvert the Consti-

tution, to compel His Majesty to violate the Coronation Oath, and to overthrow the established religion of the country.

These insinuations, which, if the noble and learned Lord prefers it, I will call assertions, have been, as your Lordships are aware, repeated night after night in this House. I say that they are mere assertions; but whether assertions or insinuations, I am prepared to prove, when the proper time shall arrive for doing so, that they are unfounded. Meanwhile, I would suggest that it would be better that these topics should be left out of discussion until the subject to which such constant reference is made comes regularly under your Lordships' notice. Until the question which is to be brought forward pursuant to the gracious recommendation from the Throne shall be submitted fairly to the House, such assertions as I have adverted to should be laid aside. The law for the suppression of the Association has likewise been brought under discussion upon this occasion; and my noble and learned friend has again asserted that the exercise of the powers of the common law was sufficient to put down that body, but that Government were under the necessity of paving the way for their other measures by the adoption of some measure in respect to the Association. If the powers of the common law were sufficient, I ask my noble and learned friend how it has happened that the Roman Catholic Association has lasted for so many years, he sitting on the Woolsack, and being a distinguished member of His Majesty's councils? The origin of the Act of 1825 to put down the Roman Catholic Association was a most able despatch from Ireland, the first paragraph of which contained an assertion that, according to the opinion of the law officers in Ireland, the Roman Catholic Association was not originally an illegal assembly in its institution or form. If this assembly was illegal according to the common law of the land, how came it that my noble and learned friend passed unnoticed this assertion, which was the foundation of the measure of 1825? But if the common law was sufficient to put down the Association in 1828-1829, how did it happen that my noble and learned friend agreed to the law of 1825? How came he to assist in concocting that measure as a member of His Majesty's councils at that time? If the common law was sufficient, how does it happen that for some years, even after the law of 1825 was passed and enacted, the common law was not put in execution under the auspices of my noble friend, he being at the time, and for some

time afterwards, Lord Chancellor ; and the Association having in fact continued to exist up to this moment ? In truth, my Lords, the common law, with the assistance of the Act of 1825, was found insufficient to put down the Association, and it is for this reason that we have found ourselves under the necessity of coming to Parliament, to ask Parliament to invest the Lord Lieutenant with extraordinary powers to enable him to deal with such assemblies.

It has been said, and among others by a Right Reverend Prelate, that there is sufficient power in the country to enable the Officers of the Crown to put down the Association. It is true there is ample military power in the country to put it down. No doubt there is ; but surely military power is not the description of force which the noble and learned Lord, or any one, would desire to see put in operation for the suppression of such an Association, but that power and authority which belong to the law, and which may be carried into execution by ordinary means. I ask the Right Reverend Prelate and my noble friend whether military force is what they would recommend any Government in this country to employ to enforce the law ? I am sure that it is not the power which my noble and learned friend meant when he talked of the common law ; that he would not have recourse to such an expedient, when he asserted that ordinary means were sufficient.

I do not feel it necessary to follow this discussion further ; and have only to repeat to my noble friends the suggestion that I have already made, to withdraw their motions, and to accomplish their end by bringing in a Bill of Indemnity.

Original motion and amendment withdrawn.

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*March 16, 1829.*

### THE CORONATION OATH.

Lord KENYON, on presenting various petitions against further concessions to the Roman Catholics, remarked, that the Ministerial Relief Bill, wholly devoid as it was of all securities, was inconsistent with former declarations of the noble Duke (Wellington). It was his opinion, as well as that of very many people, that this measure was inconsistent with His Majesty's Coronation Oath ; and that it could not have been fully explained to His Majesty.

*THE DUKE OF WELLINGTON* spoke in the following terms :

I can assure the noble Lord who has last spoken, that if I had been inclined to rest on a bed of roses I should not have entered

on the duties of the office which I now fill. If I had sought for a bed of roses I should not have embarked on the discussion of a question which is calculated to divide me in opinion from the noble Lord, and from others who take the same view of the question as that noble Lord. I can, however, assure the House, that I have proceeded, with respect to this question, as I shall with respect to all others, upon a clear and distinct sense of what is due to His Majesty and to the public, on my part, as the King's servant. Under these circumstances I recommended the measure in question to His Majesty, and I say that I am responsible to Parliament and to the country for the advice I have thus given. The noble Lord who has just sat down has come forward and put a sort of question to me, namely, whether or not the measures proposed to Parliament have been explained to His Majesty? I answer distinctly that those measures have been explained to His Majesty. They have been explained to His Majesty, and the proof is, that I am His Majesty's servant at the present moment. Does any man suppose that if His Majesty had not clearly and distinctly understood the nature of those measures, he would have allowed me to continue his servant for a moment after I had submitted them to the consideration of Parliament? It is an insult to His Majesty to suppose that he would have suffered such conduct in his Minister.

I will not now enter into the discussion whether or not the measures proposed to Parliament are calculated to effect a breach of the King's Coronation Oath. I state, however, that I will undertake to prove, when the question comes regularly under your Lordships' consideration, that those measures do not touch the Coronation Oath. The most zealous advocates of the same side of the question as the noble Lord, even the noble and learned Lord on the cross-bench (the Earl of Eldon), have never contended that the King's Coronation Oath would be touched by a measure of such a description as that proposed. It is very true that there might be measures with respect to this question, which might touch the Coronation Oath; but neither the late Lord Liverpool, nor my Right Honorable friend in the other House of Parliament (Sir R. Peel), nor the noble and learned Lord on the cross-bench, ever contended, to my knowledge, that the Coronation Oath would be touched by a measure of such a description as that which has been submitted to the other House of Parliament. But there is another

authority to which, probably, the noble Lord will be inclined to pay more attention and respect than to the authority of those noble Lords, which I have just cited; I allude to a noble and respected relative of his own (Lord Chief Justice Kenyon.) I have read the famous letter of that nobleman over and over again with the utmost attention; I see not a word in that letter expressing an opinion that the King's Coronation Oath would be affected by such a measure as the one proposed.

I have gone thus far into this question because every night, notwithstanding a sort of arrangement has been made that the question should not be considered by your Lordships until it comes regularly before you, on every occasion the question is brought up, and assertions and insinuations are continually thrown out against His Majesty's Ministers, and me in particular, for having violated our duty in submitting the proposed measure to the consideration of Parliament. I will, however, postpone all discussion on this question until it comes regularly before the House, when I shall have to explain the measure distinctly to your Lordships, and to state my reasons for having given a contradiction to all the insinuations which have been thrown out against me.

Lord FARNHAM remarked that, although he was not in the House at the time, he had understood the noble Duke to have stated, a few days before the measure was brought forward, that, when the securities which would be proposed were known to noble Lords in that House, they would satisfy the House in general; and that he had also expressed an opinion that they would satisfy the scruples of the Right Reverend Prelate to whose observations he was at that time replying.

*THE DUKE OF WELLINGTON* said:

I think that discussions on the principle of the measure would be more regular upon the second reading of the Bill. The noble Lord is quite right in saying that he was not in the House when the discussion took place between me and a Right Reverend Prelate (Bath and Wells). I did not happen to say one word about securities. The Right Reverend Prelate complained that he could not, if the proposed measure passed, take the Oath of Supremacy. I replied that he might take the Oath of Supremacy with as safe a conscience as before. The Right Reverend Prelate said, with respect to the nature of the measure, that it was one for the establishment of Popery. That I denied, and will

deny again ; and I said that, on the contrary, the result of the measure would be rather to prevent the growth of Popery than to establish it. I now repeat my assertion, and will engage to prove it when the measure comes before your Lordships. I am sorry to trouble your Lordships so often ; but when the noble Lord puts words into my mouth which I never uttered, respecting securities, the noble Lord must allow me to state that I never said anything of the kind, and that what he asserts is not the fact.

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*March 17, 1829.*

M U T I N Y B I L L.

In Committee on the Mutiny Bill,

*THE DUKE OF WELLINGTON* said :

I beg to call the attention of your Lordships to the Mutiny Bill. I will state the alterations which have been made in the other House of Parliament, as they appear in the printed Bill ; and I wish your Lordships to have that printed Bill before you, in order that you may see what the alterations are. They are generally matter of detail, and have been made with a view to shorten and render more plain the Act of Parliament. The clauses heretofore amounted to a considerable number, 163, and they are now reduced to 77. This arrangement, as well as every alteration which has been made, renders the enactments more plain and clear. There is an important alteration in the Bill, enabling general commanding officers in a district to order district courts martial, instead of general regimental courts martial ; and the object of this alteration is to render the use of the former kind of tribunal more frequent than it hitherto has been.

In consequence of the particular formation of the army, it has been found that few corps are capable of furnishing a sufficient number of officers for general regimental courts martial ; and it is therefore thought necessary to give the commanding officers the power of putting together the officers of different corps, and giving them the name of district courts martial. An alteration has also been made with respect to the oath to be taken by the members of courts martial, which is now the same for the members of all courts martial. There is also an enactment requiring



the proceedings of all general courts martial to be forwarded to the office of the Advocate General in London, and copies of the proceedings to be furnished to those interested, three months after the period when any sentence has been given. Another alteration is to enable general courts martial in the colonies to transport offenders to such places as are usually adopted for the reception of convicts.

These are all the important alterations, excepting the allowing of former acts of desertion to be received in evidence against a deserter; and I hope they are such as will meet with your Lordships' approbation.

Bill passed through Committee.

[A meeting took place at 8 o'clock on Saturday morning, the 21st March, in Battersea Fields, between the Duke of Wellington and the Earl of Winchilsea, in consequence of a letter, dated Eastwell Park, 14th March, addressed by the Earl of Winchilsea to H. N. Coleridge, Esq., Secretary of King's College, London, and published in the *Standard* newspaper, attributing motives highly offensive to His Grace. Lord Winchilsea received the Duke of Wellington's fire, and discharged his own pistol in the air; when a memorandum delivered by Lord Falmouth to Sir H. Hardinge was accepted as a satisfactory reparation to the Duke of Wellington.]

The correspondence (17 letters) was published in the *Courier* of Saturday, the 21st March, and copied in all the daily newspapers.]

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March 24, 1829.

## THE COAL TRADE.

The Marquis of LONDONDERRY expressed a hope that the noble Duke at the head of the Government would not object to the appointment of a Committee to inquire into the heavy imposts levied on coal brought to London, by which the price was raised from 26s. or 28s. to upwards of 50s. per chaldron.

*THE DUKE OF WELLINGTON* said:

I can assure my noble friend that I have not forgotten the good treatment I received in the North, nor the result of the inquiries I made with respect to the coal trade. Those inquiries excited in me great astonishment; and, though I was not then in office, I did think that the difference between the price paid at the mouth of the pit and the price in the city was a circumstance which ought to be made the subject of inquiry. It is true that in

various conversations in this House last Session, particularly when a Bill was before your Lordships for appointing coal-meters in the county of Surrey, I stated that, during the recess, I would inquire into the subject, and that I had no objection that a Committee should be appointed to inquire into the subject this Session. I must say, however, that the result of the inquiries I have made into the subject during the recess has convinced me that the duty imposed by the Government is not the cause of the great difference between the price of coals at the pit and in this metropolis, and of the high price at the latter. The difference is, I believe, even larger than that stated by my noble friend. When I was in Durham I understood that the difference was as great as between 11 and 41. My noble friend states that the difference is between 16 and 36; but I understood that the difference was between 11 and 41, and the price paid for coals here is between 50 and 60 shillings. The duty levied by the Government, which is 6s. the chaldron, could not cause all this difference. The duty levied by the city of London is 6d. and 4d., and this, again, is too small to account for the great disparity I have stated.

My Lords, when your Lordships recollect that my noble friend (Lord Bexley), while Chancellor of the Exchequer, reduced the duty one-third, or from 9s. to 6s., and that that reduction made no difference in the price, you must admit that there is some abuse existing in the trade itself, and attaching to it, which is the cause of the high price. As I have already stated, I have no objection to enter into the inquiry into the system; premising, however, that I cannot consent to give up the public duty, I mean the duty paid to Government. I must also state, that from the inquiries I made I am satisfied that the duty could not be levied at the ports of exportation.

With respect to another part of the subject to which my noble friend adverts, the duties levied by the city of London, I must observe that they were originally laid on with the intention of providing and completing communications between different parts of the city of London which are necessary for the numerous transactions carried on there. In this view those duties are necessary to enable the city to complete the communications and approaches to the new London Bridge. Any person visiting that part of the city must see that, notwithstanding the improvements which have been made, the communications are not yet sufficient for the

business which is there transacted. When the Bill to which my noble friend alludes comes up from the other House, I shall have no objection to consider whether the continuation of these duties is necessary. In stating that I have no objection to the Committee, I may add that, if I am to be a member of it, I shall give this subject my utmost attention.

March 31, 1829.

### ROMAN CATHOLIC RELIEF BILL.

*THE DUKE OF WELLINGTON* said:

My Lords, I beg to lay upon your Lordships' Table a Bill for the relief of His Majesty's Roman Catholic subjects from certain civil disabilities now affecting them; and I have to move your Lordships to give to this Bill a first reading.

Bill read a first time.

*THE DUKE OF WELLINGTON* said:

I have now to move, my Lords, that this Bill be printed; and I shall propose, with permission of your Lordships, that the second reading be taken on Thursday next, in case the printed Bill should be, as I have reason to expect it will be, laid on your Lordships' table in the course of to-morrow.

Lord BEXLEY trusted that the noble Duke would not attempt to carry through the House a Bill of such vast importance with so much precipitation.

*THE DUKE OF WELLINGTON* said:

My Lords, respect for the importance of this question, respect for the dignity of this House, respect for the declaration made by His Majesty in his most gracious Speech at the opening of the Session, respect for the Address which the House presented to His Majesty in reply to his most gracious Speech, and I hope that I may be permitted to add, respect for my own character, will induce me to avoid acting with precipitation on this great occasion. But must be permitted, my Lords, to say that the House has now been sitting for nearly two months, and that this measure has been under our discussion, day by day, upon the presentation of petitions; and it having been publicly put to your Lordships, that the

question for your consideration is, whether Popery shall or shall not be established in this kingdom, I am desirous of an early opportunity of stating to your Lordships the grounds on which the measure really rests, and upon which must rest that decision in its favor to which I trust your Lordships will eventually come.

I beg that your Lordships will recollect that the second reading of this Bill is the first stage at which you can deliberate on the principle of this question; for although, on the presentation of petitions, we have for the last six weeks been perpetually adverting to the subject, it has never yet been brought fairly under discussion. It cannot therefore appear extraordinary, I trust, to any of your Lordships, that I should be anxious to take the first opportunity to enable your Lordships to come openly and fairly to a full discussion of it. The noble Baron on the cross bench (Bexley) has produced various precedents to prove that upon former occasions, when Bills, similar in principle to the present, were introduced into your Lordships' House, they were not brought into discussion without a week's or a fortnight's, or, in some cases, a month's previous notice. I do not mean to dispute those precedents, but I would ask the noble Baron, are there not many other important subjects which your Lordships have discussed in a short interval after their introduction into your House, especially when they were brought under consideration on the first day of the Session in the Speech from the Throne? Under these circumstances, considering how desirable it is that your Lordships should come to a decision upon this measure, considering how desirable it is that the public should know your opinions upon it, considering how desirable it is that the agitation of this question should be speedily brought to a close, I entreat your Lordships to let me proceed to the second reading of this Bill upon Thursday next, if the Bill should be printed and in your hands to-morrow. For these reasons, and under the circumstances which I have stated, I must, my Lords, persevere in my original intention.

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*April 2, 1829.*

*THE DUKE OF WELLINGTON* spoke in the following terms:

It is now my duty to move that your Lordships read this Bill a second time, and to explain to your Lordships the grounds on which I recommend this measure to your consideration. I may

be under the necessity of requesting a larger portion of your time and attention, upon this occasion, than I have hitherto been in the habit of occupying ; but I assure you, my Lords, that it is not my intention to take up an instant of your time with respect to myself, or my own conduct in this transaction, any farther than to express my regret that I should differ in opinion on this subject from so many of those for whom I entertain the highest respect and regard. However, my Lords, I must say that I have considered the part which I have taken upon this subject as the performance of a public duty absolutely incumbent upon me ; and that no private regard, no respect for the opinion of any noble Lord, would have induced me to depart from the course which I have considered it my duty to adopt. I must say, likewise, this : that, comparing my own opinion with that of others upon this subject, I have, during the period I have been in office, had opportunities of forming a judgment upon this subject which others have not had ; and they will admit that I should not have given the opinion I have given, if I was not intimately and firmly persuaded that that opinion was a just one.

My Lords, the point which I shall first bring under your Lordships' consideration is the state of Ireland. I know that by some it has been considered that the state of Ireland has nothing to do with this question—that it is a subject which ought to be left entirely out of our consideration. My Lords, they tell us that Ireland has been disturbed for the last thirty years, that to such disturbance we have been accustomed, and that it does not at all alter the circumstances of the case, as they have hitherto appeared. My Lords, it is perfectly true that Ireland has been disturbed during the long period I have stated ; but within the last year or two there have been circumstances of particular aggravation. Political circumstances have in a considerable degree occasioned that aggravation ; but besides this, my Lords, I must say, although I have no positive legal proof of the fact, that I have every reason to believe that there has been a considerable organization of the people for the purposes of mischief. My Lords, this organization is, it appears to me, to be proved not only by the declarations of those who formed and who arranged it, but likewise by the effects which it has produced in the election of churchwardens throughout the country ; in the circumstances attending the election for the county of Clare ; in the circumstances that preceded and followed that election ; in the

proceedings of a gentleman who went at the head of a body of men to the north of Ireland ; in the simultaneous proceedings of various bodies of men in the south of Ireland, in Thurles, Templemore, Killenaule, Cahir, Clonmel, and other places ; in the proceedings of another gentleman in the King's County ; and in the recal of the former gentleman from the north of Ireland by the Roman Catholic Association. In all these circumstances it is quite obvious to me that there was an organization and direction of some superior authority. This organization has certainly produced a state of society in Ireland which we have not heretofore witnessed, and an aggravation of all the evils which before afflicted that unfortunate country.

My Lords, late in the year a considerable town was attacked in the middle of the night by a body of people who came from the neighbouring mountains, the town of Augher. They attacked it with arms, and were driven from it with arms by the inhabitants of the town. This is a state of things which I feel your Lordships will admit ought not to exist in a civilized country. Later in the year still, a similar event occurred in Charleville ; and in the course of last autumn the Roman Catholic Association deliberated upon the propriety of adopting, and the means of adopting, the measure of ceasing all dealings between Roman Catholics and Protestants. Is it possible to believe that supposing these dealings had ceased, that supposing this measure had been carried into execution, as I firmly believe it was in the power of those who deliberated upon it to carry it into execution ; is it possible to believe that those who could cease these dealings would not likewise have ceased to carry into execution the contracts into which they had entered ? Will any man say that people in this situation are not verging towards that state in which it would be impossible to expect from them that they would be able to perform the duties of jurymen, or to administer justice between man and man for the protection of the lives and properties of His Majesty's subjects ? My Lords, this is the state of society to which I wished to draw your attention, and for which it is necessary that Parliament should provide a remedy. But before I proceed to consider what those remedies ought to be, I wish just to show you what the effect of this state of society has been upon the King's prerogative.

My Lords, His Majesty could not create a peer, and the reason he could not create a peer was this. His Majesty's servants could

not venture to recommend to him to incur the risks of an election, and those which might have attended any accident at the election, which might have occasioned the shedding of blood. Such a disaster must have been productive of an immediate civil war in the country ; and not only was that the case, my Lords, but I confess that I had the strongest objection to give another triumph to the Roman Catholic Association. Then we are asked, ‘Why do you not carry the law into execution?’ My Lords, I have upon former occasions stated to your Lordships how the law stood in respect to the Association ; and your Lordships will observe that in all I have stated hitherto there was no resistance to the law. The magistrates were not called upon to act. There was no resistance to the King’s troops : indeed, except in the case of the procession to the north of Ireland, they were never called into duty. There was no instance, therefore, in which the law could be carried into execution. When we hear, therefore, noble Lords reproaching the Government for not carrying into execution the law in Ireland, as it was carried into execution in England, the observation shows that they do not understand the state of things in Ireland. The truth of the matter is, that in England, when the law was carried into execution in the year 1819, a large body of persons assembled for an illegal purpose : they resisted the order of the magistrates to disperse, and, having resisted that order, the magistrates directed the troops to disperse them. But in the case in Ireland there were no circumstances of the same kind : no order was given to disperse, no order could be given to disperse, because no magistrates were present ; and if they had been present, there were no troops to disperse them. The truth is, the state of society was such as rendered these events probable at every hour ; and it was impossible the magistrates could be at every spot, and at all times, to put an end to these outrages, which really are a disgrace to the country in which they take place. My Lords, neither the law, nor the means in the possession of Government, enabled Government to put an end to these things. It was necessary, therefore, to come to Parliament. Now, let us see what chance there was of providing a remedy to this state of things by coming to Parliament.

My Lords, we all know perfectly well that the opinion of the majority in another place is, that the remedy for this state of things in Ireland is a repeal of the disabilities affecting His Majesty’s Roman Catholic subjects. We might have gone and asked Par-

liament to put down the Roman Catholic Association ; but what chance had we of prevailing upon Parliament to pass such a Bill without being prepared to come forward and state that we were ready to consider the whole condition of Ireland with a view to apply a remedy to that which Parliament had stated to be the cause of the disease? Suppose that Parliament had given us a Bill to put down the Roman Catholic Association, would such a law as that which passed lately be a remedy for the state of things I have already described to your Lordships as existing in Ireland? Would it do any one thing towards putting an end to the organization which, I have stated to your Lordships, exists, towards putting an end to the mischiefs which are the consequences of that organization, towards giving you the means of getting the better of the state of things existing in Ireland, without some further measure to be adopted? But, my Lords, it is said, ' If that will not do, let us proceed to blows! ' What is meant by ' proceeding to blows ' is civil war! Now I believe that every Government must be prepared to carry into execution the laws of the country by the force placed at its disposal ; not by the military force, unless it should be absolutely necessary, but by the military force, in case that should be necessary ; and, above all things, to endeavor to overcome resistance to the law, in case the disaffected or the ill-disposed are inclined to resist the authority or sentence of the law ; but in this case, as I have already stated to your Lordships, there was no resistance of the law ; nay, I will go further, and will say that I am positively certain that this state of things existing in Ireland for the last year and a half, bordering upon civil war (being attended by nearly all the evils of civil war), might have continued a considerable time longer, to the great injury and disgrace of the country, and nevertheless those who managed this state of things, those who were at its head, would have taken care to prevent any resistance to the law, which must have ended, they knew as well as I do, in the only way in which a struggle against the King's Government could end. They knew perfectly well they would have been the first victims of that resistance ; but knowing that, and knowing as I do that they are sensible, able men, and perfectly aware of the materials upon which they have to work, I have not the smallest doubt that the state of things which I have stated to your Lordships would have continued, and that you would never have had an opportunity of putting it down in the



manner some noble Lords imagine. But, my Lords, even if I had been certain of such means of putting it down, I should have considered it my duty to avoid those means. I am one of those who have probably passed a longer period of my life engaged in war than most men, and principally in civil war; and I must say this, that if I could avoid, by any sacrifice whatever, even one month of civil war in the country to which I was attached, I would sacrifice my life in order to do it. I say that there is nothing which destroys property, cuts up prosperity by the roots, and demoralizes character, to the degree that civil war does. In such a crisis the hand of every man is raised against his neighbour, against his brother, and against his father; servant betrays master, and the whole scene ends in confusion and devastation. Yet, my Lords, this is the resource to which we must have looked; these are the means which we must have applied, in order to have put an end to this state of things, if we had not made the option of bringing forward the measures for which I say I am responsible. But let us look a little farther. If civil war is so bad when it is occasioned by resistance to the Government, if it is so bad in the case I have stated, and so much to be avoided, how much more is it to be avoided when we are to arm the people in order that we may conquer one part of them by exciting the other part against them?

My Lords, I am sure there is not a man who hears me whose blood would not shudder at such a proposition if it were made to him; and yet that is the resource to which we should be pushed at last by continuing the course we have been adopting for the last few years. I entreat your Lordships not to look at it in this point of view only, but let us revert a little to what passed on a former similar occasion. My Lords, I am old enough to remember the rebellion in 1798. I was not employed in Ireland at the time: I was employed in another part of His Majesty's dominions; but, my Lords, if I am not mistaken, the Parliament of Ireland at that time walked up to my Lord Lieutenant with an unanimous address, beseeching his Excellency to take every means to put down that unnatural rebellion, and promising their full support in order to carry those measures into execution. The Lord Lieutenant did take measures, and did succeed in putting down that rebellion. Well, my Lords, what happened in the very next Session? The Government proposed to put an end to the Parliament, and to form

a Legislative Union between the two kingdoms, for the purpose, principally, of proposing this very measure ; and, in point of fact, the very first measure that was proposed after this Legislative Union, after those successful endeavors to put down this rebellion, was the very measure with which I am now about to trouble your Lordships. Is it possible noble Lords can believe that, supposing there was such a contest as that which I have anticipated, is it possible noble Lords can believe that such a contest could be carried on without the consent of the other House of Parliament ? I am certain, my Lords, that, when you look at the division of opinion which prevails in both Houses of Parliament ; when you look at the division of opinion which prevails in every family of this kingdom and of Ireland—in every family, I say, from the most eminent in station down to the lowest in this country ; when you look at the division of opinion that prevails among the Protestants of Ireland on this subject, I am convinced you will see that there would be a vast difference in a contest carried on now and that which was carried on on former occasions.

My Lords, I beg you will recollect that, upon a recent occasion, there was a Protestant declaration of the sentiments of Ireland. As I said before, the Parliament of Ireland, in the year 1798, with the exception of one or two gentlemen, were unanimous ; and on a recent occasion there were seven Marquises, twenty-seven Earls, a vast number of Peers of other ranks, and not less than two thousand Protestant gentlemen of property in the country, who signed the declaration, stating the absolute necessity of making these concessions. Under these circumstances it is that this contest would have been carried on—circumstances totally different from those which existed at the period I before alluded to. But is it possible to believe that Parliament would allow such a contest to go on ? Is it possible to believe that Parliament, having this state of things before it, that this House, seeing what the opinion of the other House of Parliament is, seeing what the opinion of the large number of Protestants in Ireland is, seeing what the opinion of nearly every statesman for the last forty years has been on this question, would continue to oppose itself to measures brought forward for its settlement ? It appears to me absolutely impossible that we could have gone on longer without increasing difficulties being brought on the country. But it is very desirable that we should look a little to what benefit is to be derived to any one class in the State by con-

tinuing the disabilities and adopting those coercive measures which will have all the evils I have stated. We are told that the benefit will be to preserve the principles of the Constitution of 1688, that the Acts of 1688 permanently excluded Roman Catholics from Parliament, and that, they being permanently excluded from Parliament, it is necessary to incur all the existing evils in order to maintain that permanent exclusion. Now I wish very much that noble Lords would take upon themselves the trouble I have taken to see how the matter stands as to the permanent exclusion of Roman Catholics from Parliament.

My Lords, in the Bill of Rights there are some things permanently enacted which I sincerely hope will be permanent: these are, the liberties of the people, the security for the Protestantism of the person on the throne of these kingdoms, and that he shall not be married to a Papist. Then there is an oath of allegiance and supremacy to be taken by all those of whom that oath of allegiance is required, which is also said to be permanent; but it contains no declaration against transubstantiation. There is also an oath of allegiance different from that, which is to be taken by a member of Parliament. I beg your Lordships will observe that, although this oath of allegiance was declared permanent, it was altered in the last year of King William. This shows what that permanent Act was. Then with respect to the oaths to be taken by members of Parliament, I beg your Lordships to observe that these oaths, the declaration against transubstantiation and the sacrifice of the mass, are not originally in the Act of William III.: they are in the Act of 30th Charles II. During the reign of Charles II. there were certain oaths imposed, first on dissenters from the Church of England, by the 12th and 13th Charles II., and to exclude Roman Catholics, by the 25th Charles II. and 30th Charles II. At the period of the Revolution, when King William came, he thought proper to extend the basis of his government, and he repealed the oaths affecting the dissenters from the Church of England, imposed by the 13th and 14th Charles II., and likewise the affirmative part of the oath of supremacy, which dissenters from the Church of England could not take. That is the history of the alteration of these oaths by William III., from the time of Charles II. But, my Lords, the remainder of the oath could be taken by dissenters, but could not be taken by Roman Catholics. The danger, with respect to Roman Catholics, had originated in

the time of Charles II., and still existed in the time of William III. ; but the oath was altered, because one of the great principles of the Revolution was to limit the exclusion from the benefits of the Constitution so far as it was possible. Therefore, we have this as one of the principles of the Revolution, as well as the principles I before stated derived from the Bill of Rights. The noble Lords state that what they call the principles of 1688—that is to say, these oaths excluding Roman Catholics—are equally permanent with the Bill of Rights by which the Protestantism of the Crown is secured. If they will do me the favor to look at the words of the Act, they will see that the difference is just the difference between that which is permanent and that which is not permanent. The Act says that the Protestantism of the Crown shall last for ever, that these liberties are secured for ever ; but as for these oaths, they are enacted in exclusive words, and there is not one word about how long they shall last. Well then, my Lords, what follows? The next Act we have is the Act of Union with Scotland ; and what does that Act say? That the oaths to be taken by the members of Parliament, as laid down by the 1st of William and Mary, shall continue and be taken till Parliament shall otherwise direct. This is what is called a permanent Act of Parliament, a provision to exclude Catholics for all future periods from seats in Parliament! My Lords, I beg to observe that, if the Act which excludes Roman Catholics from seats in Parliament is permanent, there is another clause (I believe the 10th of 1 William III., cap. 8) which requires officers of the army and navy to take these very oaths previous to their acceptance of their commissions. Now, if the Act made in the first year of William and Mary, which excludes Roman Catholics from Parliament, is permanent, I should like to ask noble Lords why the clause in that Act is not equally permanent? I suppose that the noble and learned Lord (Eldon) will answer my question by saying that one Act was permanent, and ought to be permanently maintained, but that the other Act was not permanent, and the Parliament did right in repealing it in 1817. But the truth of the matter is, that neither Act was intended to be permanent ; and the Parliament of Queen Anne recognized by the Act of Union that the first Act, relating to seats in Parliament, was not permanent ; and the noble and learned Lord did quite right when he consented to the Act of 1817, which put an end to the 10th clause of the 1st of William III., cap. 8. Then, my Lords,

if this principle of exclusion, if this principle of the Constitution of 1688, as it is called, be not permanent, if it be recognized as not permanent, not only by the Act of Union with Scotland (in which it was said that the exclusion oath should continue till Parliament otherwise provided), but also by the later Act of Union with Ireland, I would ask your Lordships whether you are not at liberty now to consider the expediency of doing away with it altogether, in order to relieve the country from the inconveniences to which I have already adverted?

I would ask your Lordships, whether you are not called upon to review the state of the representation of Ireland, whether you are not called upon to see, even supposing that the principle were a permanent one, if it be fit that Parliament should remain as it has remained for some time, groaning under a Popish influence exercised by the priests over the elections in Ireland. I would ask your Lordships, I repeat, whether it is not right to make an arrangement which has for its object not only the settlement of this question, but at the same time to relieve the country from the inconveniences which I have mentioned. I have already stated the manner in which the organization I have alluded to works upon all the great interests of the country; but I wish your Lordships particularly to attend to the manner in which it works upon the Church itself. That part of the Church of England which exists in Ireland is in a very peculiar situation: it is the Church of the minority of the people. At the same time I believe that a more exemplary, a more pious, or a more learned body of men than the ministers of that Church do not exist. The ministers of that Church certainly enjoy and deserve the affections of those whom they are sent to instruct, in the same degree as their brethren in England enjoy the affections of the people of this country; and I have no doubt that they would shed the last drop of their blood in defence of the doctrines and discipline of their Church. But violence, I apprehend, is likely to affect the interests of that Church; and I would put it to the House, whether that Church can be better protected from violence by a Government united in itself, united with Parliament, and united in sentiment with the great body of the people, or by a Government disunited in opinion, disunited from Parliament, and by the two Houses of Parliament disunited. I am certain that no man can look to the situation of Ireland without seeing that the interest of the Church, as well as the interest of every class of

persons under Government, is involved in such a settlement of this question as will bring with it strength to the Government, and strength to every department of the State.

Having now gone through the general principles which induced me to consider it desirable to bring forward this measure, I will trouble your Lordships for a short time longer, whilst I explain generally the provisions of the Bill before the House. The Bill is, in itself, very simple. It concedes the Roman Catholics the power of holding every office in the State, excepting a few connected with the administration of the affairs of the Church; and it also concedes to them the power of becoming members of Parliament. I believe it goes farther, with respect to the concession of offices, than any former measure which has been introduced into the other House of Parliament. I confess that the reasons which induced me to consider it my duty to make such large concessions now arose out of the effects which I observed following the Acts passed in the years 1782 and 1793. I have seen that any restriction upon concession has only had the effect of increasing the demands of the Roman Catholics, and at the same time giving them fresh power to enforce those demands. I have, therefore, considered it my duty, in making this act of concession, to make it as large as any reasonable man can expect it to be, seeing clearly, that anything which might remain behind would only give ground for fresh demands, and being convinced that the settlement of this question tends to the security of the State, and to the peace and prosperity of the country.

I have already stated to your Lordships my opinion respecting the expediency of granting seats in Parliament to Roman Catholics; and I do not conceive that the concession of seats in Parliament can in any manner affect any question relative to the Church of England. In the first place, I beg your Lordships to recollect that at the time those laws to which I have before alluded, the one passed in the 30th of Charles II., and the other at the period of the Revolution, were enacted, it was not the Church that was in danger, it was the State. It was the State that was in danger; and from what? Not because the safety of the Church was threatened. No! but because the Sovereign on the Throne was suspected of Popery, and because the successor to the Throne was actually a Papist. Those laws were adopted because of the existence of a danger which threatened the State, and not of one which

threatened the Church. On the contrary, at that period danger to the Church was apprehended, not from Roman Catholics, but from Dissenters from the Church of England. I would ask of your Lordships, all of whom have read the history of those times, whether any danger to the Church was apprehended from the Roman Catholics? No! Danger to the Church was apprehended from the Dissenters, who had become powerful by the privileges granted to them under the Act of Parliament passed at the period of the Revolution. I think, therefore, that it is not necessary for me to enter into any justification of myself for having adopted this measure, on account of any danger which might be apprehended from it to the Church. Roman Catholics will come into Parliament under this Bill, as they went into Parliament previous to the Act of the 30th of Charles II. They sat in Parliament up to that period, and were not obliged to take the Oath of Supremacy. By this Bill they will be required to take the Oath of Allegiance, in which a great part of the Oath of Supremacy is included, namely, that part which refers to the jurisdiction of foreign potentates; and I must say, that the Church, if in danger, is better secured by this Bill than it was previous to the 30th of Charles II., though the object for which that Act was recognised at the period of the Revolution, namely, to keep out the House of Stuart from the Throne, has long since ceased to exist, by the extinction of that family. It is the opinion of nearly every considerable man in the country (of nearly all those who are competent to form a judgment on the question), that the time is now arrived for repealing these laws. Circumstances have been gradually tending towards their repeal since the extinction of the House of Stuart; and at last the period has come when it is quite clear that the repeal can be no longer delayed with safety to the State.

But, my Lords, I know that there are many in this House, and many in this country, who think, and I am free to admit that I was formerly of the same opinion myself, that the State ought to have some security for the Church against the proceedings of the Roman Catholic clergy, besides the oaths imposed by the Act of Parliament to which I have already alluded. Now I confess that on examining into the question, and upon looking more minutely than I had before leisure to do, at the various Acts of Parliament by which the Church of England is constituted, and which form the foundation on which it rests, I can think of no sort of arrange-

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ment capable of being carried into execution in this country which can add to the security of the Established Church.

I beg your Lordships to attend for a moment whilst I explain the situation of the kingdom of Prussia with respect to the Roman Catholic religion. The King of Prussia exercises the power which he does over the Roman Catholic Church in his various dominions, under different Concordats made with the Pope: in Silesia, under a Concordat made by the Sovereigns of the House of Austria with the Pope: in the territories on the left bank of the Rhine, under a Concordat made by Buonaparte with the Pope: and in the territories on the right bank of the Rhine, under a Concordat made by the former Sovereigns of those countries with the Pope. Each of those Concordats supposes that the Pope possesses some power in the country, which he is enabled to concede to the Sovereign with whom the Concordat is made. That is a point which we can never yield to any Sovereign whatever. There is no Sovereign, be he whom he may, who has any power in this country to confer upon His Majesty. We must keep our Sovereign clear from such transactions. We can, therefore, have no security of that description, not even a veto on the appointment of a Roman Catholic Bishop, without detracting, in some degree, from the authority and dignity of the Sovereign, and without admitting that the Pope has something to concede to His Majesty.

Now let us suppose another security. Suppose it were arranged that His Majesty should have the nomination of the Catholic Bishops. If he nominated them, he must also give them jurisdiction, he must give them dioceses. I should like to know in what part of Ireland, or England, the King could fix upon a spot where he could, consistently with the oath he has taken, nominate a Catholic Bishop, or give him a diocese? The King is sworn to maintain the rights and privileges of the Bishops and of the clergy of this realm, and of the churches committed to their charge. Now, consistently with that oath, how could the King appoint a Bishop of the Roman Catholic religion; and would not the Established Church lose more than it gained by the assumption of such a power on the part of His Majesty?

Then, my Lords, there is another security, which some noble Lords think it desirable to have, namely, the obtaining, by Government, of copies of all correspondence between the Catholic clergy and the Court of Rome; and the supervising of that correspondence,



in order to prevent any danger resulting to the Established Church. Upon that point, I must say that I feel the greatest objection to involve the Government of this country in such matters. That correspondence, we are told, turns on spiritual affairs. But I will suppose, for the sake of argument, that it turns on questions of excommunication. Is it, then, to be suffered, that the Pope and His Majesty, or His Majesty's Secretary of State acting for him, should make law for this country? for that would be the result of communications between the Catholic clergy of this realm and the Pope being submitted to His Majesty's inspection, or to the inspection of His Majesty's Secretary of State. Such a security amounts to a breach of the Constitution, and it is quite impossible that it could be made available. It would do more injury to the Constitution and to the Church than anything which could be done by the Roman Catholics themselves, when placed by this Bill in the same situation as Dissenters.

With respect to communications with the Court of Rome, that has already been provided against and prevented by laws still in existence. Your Lordships are aware that those laws, like many others regarding the Roman Catholic religion, are not strictly enforced; but still, if indulgence should be abused, if the conduct of those persons whose actions those laws are intended to regulate should be such as to render necessary the interference of Government, the very measure which is now before your Lordships will enable Government to interfere in such a manner as not only to answer the object of its interference, but also to give satisfaction to this House and to the country.

Another part of the Bill has for its object the putting an end to the order of the Jesuits and other monastic orders in this country. If your Lordships will look at the Act passed in the year 1791, you will probably see that at that time, as well as in this, it was possible for one person to make laws through which another might drive a coach and four. My noble and learned friend (Eldon) will excuse me, I hope, for saying that, notwithstanding all the pains which he took to draw up the Act of 1791, yet the fact is, of which there cannot be the smallest doubt, that large religious establishments have been regularly formed, not only in Ireland, but also in this country. The measure which I now propose for your Lordships' adoption will prevent the increase of such establishments, and, without oppression to any individuals, without

injury to any body of men, will gradually put an end to those which have already been formed. There is no man more convinced than I am of the absolute necessity of carrying into execution that part of the present measure which has for its object the extinction of monastic orders in this country. I entertain no doubt whatever, that, if that part of the measure be not carried into execution, we shall very soon see this country and Ireland inundated by Jesuits and regular monastic clergy, sent out from other parts of Europe, with means to establish themselves within His Majesty's kingdom. When I recommend this measure to your Lordships' attention, you have, undoubtedly, a right to ask what are the reasons I have for believing that it will effect the purpose for which it is intended. My Lords, I believe that it will answer its object, not only from the example of all Europe, but from the example of what occurred in a part of this kingdom on a former occasion. If I am not mistaken, at the time that the Episcopalians labored under civil disabilities in Scotland, the state of society there was as bad as the state of Ireland is at the present moment. Your Lordships know that abroad, in other parts of Europe, in consequence of the diffusion of civil privileges to all classes, the difference between Protestant and Catholic is never heard of. I am certain that I can prove to your Lordships what I state, when I say that the state of society in Scotland previous to the concession of civil privileges to the Episcopalians was as bad as the present state of society in Ireland.

I hope your Lordships will give me leave to read a petition which has been sent to me this day, and which was presented to the Scottish Parliament at the period when those concessions were about to be made, and your Lordships will perceive that the petition is almost a model of many petitions which have been read in this House respecting the question under discussion. I am therefore in expectation that, should the present Bill pass this House, there will be no longer occasion for those complaints which have been expressed to your Lordships, and that the same happy and peaceful state of things which has for the last century prevailed in Scotland will also prevail in Ireland. I will, with your Lordships' permission, read the petition I have alluded to, and I think that, after you have heard it, you will be of the same opinion as I am with respect to the similarity it bears to many petitions which have been presented to your Lordships on the Catholic question.

The petition states, that 'to grant toleration to that party (the Episcopalians), in the present circumstances of the Church, must unavoidably shake the foundation of our present happy Constitution; overthrow those laws on which it is settled; grievously disturb that peace and tranquillity which the nation has enjoyed since the late Revolution; disquiet the minds of His Majesty's best subjects; increase animosity; confirm discord and tumult; weaken and enervate the discipline of the Church; open the door to unheard-of vices, and to Popery as well as to other errors; propagate and cherish disaffection to the Government; and bring the nation under the danger of falling back into those mischiefs and calamities from which it had lately escaped by the Divine blessing. We therefore humbly hope that no concession will be granted to that party, which would be to establish iniquity by law, and bring upon the country manifold calamities and disasters, from which we pray that Government may preserve the members of the High Court of Parliament.'

I sincerely hope that, as the prophecy contained in this petition has not been fulfilled, a similar prophecy respecting the passing of the present Bill, contained in many petitions presented to your Lordships, will also not be fulfilled.

But, my Lords, I have other grounds besides those which I have already stated for supposing that the proposed measure will answer the object in view. There is no doubt that, after this measure shall have been adopted, the Roman Catholics can have no separate interest, as a separate sect; for I am sure that neither this House nor the other House of Parliament will be disposed to look upon the Roman Catholics, nor upon anything that respects Ireland, with any other eye than that with which they regard whatever affects the interest of Scotland or of this country. For my own part I will state that, if I am disappointed in the hopes which I entertain that tranquillity will result from this measure, I shall have no scruple in coming down and laying before Parliament the state of the case, and calling on Parliament to enable Government to meet whatever danger might have arisen. I shall act with the same confidence that Parliament will support me then, as I have acted in the present case.

Having now explained to your Lordships the grounds on which this measure has been brought forward; the state of Ireland; the state of public opinion on the question; the divisions of the Go-

vernment and of the Parliament; the pretences (for so I must call them) which have been urged against the claims of the Catholics, founded on Acts passed previous to the Revolution; having, my Lords, likewise stated to you the provisions of the measure which I propose as a remedy for these inconveniences, I will trouble your Lordships no further, except by beseeching you to consider the subject with the coolness, moderation, and temper recommended in His Majesty's Speech from the Throne.

The Archbishop of CANTERBURY contended, that in bringing forward this measure the Government had yielded to the menaces of a party, against whom it was their duty to enforce the existing laws. He could not consent to part with the security which the present statutes gave, and would therefore move that the Bill should be read a second time that day six months.

Debate adjourned.

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*April 3, 1829.*

In the adjourned debate on the Roman Catholic Relief Bill, the Archbishop of YORK expressed his determination to oppose the measure, as one fraught with danger to the Protestant Church.

The Earl of FALMOUTH was strongly opposed to the Bill, but trusted that the noble Duke would at least, in the event of its failing to accomplish the ends proposed by it, come down to that House, and redeem his pledge of a former evening to propose its repeal.

*THE DUKE OF WELLINGTON* said:

I rise to say a few words in explanation of what has fallen from the noble Earl. I did not say, my Lords, that, if the measure now before your Lordships did not succeed as beneficially as I expect, that I would come down to Parliament with a proposition for its repeal. What I said was, that I hoped it would produce satisfaction and tranquillity in Ireland, and I stated my reasons for hoping that it would. I believe I likewise stated that I considered it necessary and essential to the honor and interests of this country that Ireland should be tranquil, prosperous, and happy. What I said with respect to coming down to Parliament was, that, if this measure did not produce the tranquillity in Ireland which my ideas of its tendency led me to expect, I should have no hesitation to come down to Parliament for a new remedy to perfect it—that I would ask your Lordships to grant me such a remedy with the same confidence I now ask your Lordships to consent to the Bill before you.

As I am on my legs, I will, with the permission of the noble Earl, explain another point alluded to in his speech. I did not compare the party who opposed the Episcopalians in Scotland with the Roman Catholics in Ireland, in the relation of the supposed danger of either obtaining an ascendancy in the State. I did compare the contest of the anti-Episcopalians in Scotland with the contest between the Roman Catholics and the Church of England in Ireland. I stated that I hoped tranquillity would be restored to Ireland, when the disabilities which the Roman Catholics at present labored under were removed, on account of the example afforded by Scotland, when disabilities affecting the majority of its inhabitants had been in like manner removed. I referred to this example, because, so soon as the disabilities of the anti-Episcopalian party in Scotland were removed, tranquillity was established in that country; and I showed, or endeavored to show, your Lordships, that the dangers apprehended from the present Bill were also feared from the removal of the disabilities under which the anti-Episcopalians labored, by quoting a petition presented to the Parliament of Scotland when that removal was under its discussion. As well as I recollect this is what I said.

Debate adjourned.

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*April 4, 1829.*

The Earl of GUILFORD condemned the measure as one of most dangerous tendency, by bringing forward which the Ministers had forfeited all claim for consistency; and particularly did he regret that the great man whose former services gave him so powerful a claim on the gratitude of the country should now be found lending himself to the designs of the sworn foes of our Protestant institutions.

The Earl of ELDON considered that the Ministry would never have acted with the secrecy they had done, and have taken the country by surprise, if their measures were good in themselves. They ought to have taken the sense of the country upon them, by a general election.

*THE DUKE OF WELLINGTON* spoke in the following terms:

I am anxious, my Lords, to trouble your Lordships on this occasion with a few observations in answer to some of the remarks which have been made upon the conduct of my colleagues in the Government and of myself. In doing so it is not my intention, my Lords, to detain your Lordships longer than will be absolutely necessary for the purpose of explaining that part of my conduct which I think requires explanation.

The first point is one which fell from several noble Lords, but principally from a Most Reverend Prelate (Canterbury), in the early part of the debate. That Most Reverend Prelate made the observation that we ought to have put into execution the laws against the Roman Catholic Association, but that we have yielded to its menaces. I must remind your Lordships that I stated last year, as well as on other occasions, that it was extremely desirable, before anything was done for Ireland, that a certain period of tranquillity should elapse. If that opinion was just, it may seem that I ought to have proceeded against the Association before I introduced this measure. But I must say that, although I endeavored to find the means of prosecuting this Association, I was bound, when my opinion was that this measure was essential for the interests of the country, to bring it forward at once; and it was not my duty to refrain from bringing it forward because the conduct of those persons was not what I approved of. Moreover I considered it my duty to propose, in the first instance, a proper measure to put down this Catholic Association, which measure having been passed has been found to answer its object; and there is now, and there has been for some little time, tranquillity in Ireland. The next point is that which has been repeatedly assumed by many of your Lordships in the course of the discussion, but particularly by the Right Reverend Prelates who have spoken, that the Church of Ireland (or, as I have recently been reminded, the Church of England in Ireland) is in danger. I call on those who apprehend that danger to state clearly whether that danger, on this particular occasion, is more to be expected as resulting from legislation or from violence. If they say it is resulting from legislation, I answer that their apprehensions are puerile. It is impossible to suppose that a small number of persons admitted into this House, and a small number admitted into the other House, while we have a Protestant Sovereign on the Throne, should be productive of legislative danger to the Church of England in Ireland. I beg to observe, with respect to the point relating to the Union of the two countries, that a fundamental article of the Union is the junction of the two Churches, called the United Church of England and Ireland. It is impossible, therefore, that any mischief can occur to the Church of Ireland without a breach in the Union of the two countries. There is another point to which I beg leave to advert for a moment. Although it is true that we do

admit into Parliament members of the Roman Catholic persuasion, yet at the same time, by another measure brought forward with it, and on which we equally rely, we propose regulations which will have the effect of destroying the influence of the Catholic priesthood in the election of Members of Parliament. We have carefully examined the measure, and we expect that it will give additional security to all the interests of the State.

Another subject to which I wish to advert is a charge brought against several of my colleagues, and also against myself, by the noble Earl on the cross-bench (Guildford), of a want of consistency in our conduct. My Lords, I admit that many of my colleagues, as well as myself, did, on former occasions, vote against a measure of a similar description with this; and, my Lords, I must say that my colleagues and myself felt, when we adopted this measure, that we should be sacrificing ourselves and our popularity to that which we felt to be our duty to our Sovereign and our country. We knew very well that if we put ourselves at the head of the Protestant cry of 'No Popery,' we should be much more popular even than those who have excited that very cry against us. But we felt that, in so doing, we should have left on the interests of the country a burden which must end in bearing them down; and further, that we should have deserved the hate and execration of our countrymen. The noble Earl on the cross-bench has adverted particularly to me, and has mentioned in terms of civility the services which he says I have rendered to the country; but I must tell the noble Earl that, be those services what they may, I rendered them through good repute and through bad repute, and that I was never prevented from rendering them by any cry which was excited against me at the moment. Then I am accused, and by a noble and learned friend of mine (Eldon), of having acted with great secresy respecting this measure. Now I beg to tell my noble and learned friend,—and I am sorry that, in the course of these discussions, anything has passed which has been unpleasant to my noble and learned friend,—I beg to tell him, I say, that he has done that to me in the course of this discussion which he complains of others having done to him; in other words, he has, in the language of a Right Honorable friend of his and mine (Mr. Peel), thrown a large paving-stone instead of throwing a small pebble-stone.

I say that if my noble and learned friend accuses me of acting

with secrecy on this question, he does not deal with me altogether fairly. He knows, as well as I do, how the Cabinet was constructed on this question; and I ask him, had I any right to say a single word to any man whatsoever upon this measure, until the Person most interested in the kingdom upon it had given his consent to my speaking out? I say, that before my noble and learned friend had accused me of secrecy, and of improper secrecy too, he ought to have known the precise day upon which I received the permission of the highest Personage in the country; and he ought not to have accused me of improper conduct until he had known the day on which I had leave to open my mouth upon this measure: There is another point also on which the noble Earl accused me of misconduct, and that is, that I did not at once dissolve the Parliament. Now I must say that I think noble Lords are mistaken in the notion of the benefits which they conceive that they would derive from a dissolution of Parliament at this crisis. I believe that many of them are not aware of the consequences and of the inconveniences of a dissolution of Parliament at any time. But when I know, as I did know, and as I do know, the state of the elective franchise in Ireland—when I recollected the number of men it took to watch one election which took place in Ireland in the course of last summer—when I knew the consequences which a dissolution would produce on the return to the House of Commons, to say nothing of the risks which must have been incurred at each election, of collisions that might have led to something little short of civil war—I say that, knowing all these things, I should have been wanting in duty to my Sovereign and to my country if I had advised His Majesty to dissolve his Parliament.

My Lords, I shall not detain the House any further, except to observe that I could not allow the House to come to a vote on this subject, without justifying myself on the various points adverted to in the course of the debate. I can assure your Lordships that I have not intended to say anything unpleasant to the feelings of others. I have only been anxious to vindicate myself and my colleagues from some unfair and unfounded imputations which have been made against us.

The House divided : Contents, 217 ; Non-Contents, 112. Majority in favor of the second reading, 105.

Bill read a second time.



*April 6, 1829.*

### IRISH 40-SHILLING FREEHOLDERS.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, It is now my duty to state to your Lordships the nature of the other measure which it is the duty of Government to propose to Parliament, in conformity with the recommendation in the Speech from the Throne, namely, the Bill to regulate the franchise of persons to vote in elections of members of Parliament for counties in Ireland.

The Irish Act of 1793 gave to Roman Catholics the power of voting for members of Parliament; and very shortly after that date it appears that the evil commenced which grew to such magnitude that five years ago it drew the attention of Parliament to it, and it was then thought necessary to apply a remedy. My Lords, I believe that, shortly after the passing of the Act of 1793, certain persons in possession of leases for one or more lives, under grants from some of the great proprietors in Ireland, commenced the system of granting freeholds by virtue of their leases. This was done for the purpose of creating for themselves political and parliamentary influence; and I am afraid that their practice laid the ground for the example being followed by others, their superiors in station, their superiors in fortune, and their superiors in intelligence. No doubt the system has been extended, my Lords, to an enormous degree. In Ireland there are many more freeholders than are necessary for the freedom of election upon any well-regulated principle, and many of the attendants upon the system have been such as to have become the general subject of complaint throughout the country. The persons who have been entitled by the abuse of the power of making freeholders to vote for members of Parliament are, as appears by the proceedings of a Committee of your Lordships' House and of the House of Commons, of the very lowest class of society. In making out their right to vote, in possessing themselves of their freeholds, and in all the circumstances attending the transaction, perjury is committed: the people, my Lords, are demoralised in every stage of the proceeding; and on that account alone, if on no other, the subject well deserves the most serious attention of your Lordships.

But, my Lords, it appears besides, from the reports of the same

Committees, that these people are not at all sensible of the advantages attending the freeholds they possess, but which they cannot be said to enjoy. The law requires that they should register their freeholds twelve months before they vote. If they were sensible of the advantage of the right of voting, your Lordships might suppose that they would willingly attend for the purpose of registration, and pay the expense, which, I believe, amounts to one shilling. It is well known that they will not pay even that charge; that it is paid by the landlord, by the candidate, or by some club interested in procuring votes for a particular individual. It appears also by the evidence taken before the same Committees, that they are forced—absolutely driven—to give their votes at elections; that they are reckoned, in fact, part of the live stock of the estates, and that they are hardly treated like human beings. On these grounds also, if no others could be stated, it must be obvious that some change is necessary.

As I have said before, these freeholds were originally formed for the purpose of giving political and parliamentary influence to certain individuals; but latterly, and more particularly since those Committees made their reports, it appears that the influence resulting from the system I have been describing has fallen into the hands of persons in whose possession there can be no doubt the Legislature never intended that any political power or parliamentary influence should be found—I mean the priests. The continuance of such influence in such hands would be highly detrimental to the public interest, under whatever system we should continue to govern that part of the United Kingdom. But when we consider the measure that was adopted the other night, there can be no doubt that this evil ought not to be allowed to continue. After the vote of Saturday night I may safely say in this House that, if a Roman Catholic gentleman possesses property and talents to enable him to serve his country, and entitle him to a seat in Parliament, it is desirable that he should have one. But I am sure there is not one of your Lordships who will not agree with me that it is not desirable that he should obtain that seat by the exertion of Popish influence on those who have the power to grant it. I say, therefore, that on this ground it is fit that the Bill I now propose should be passed into a law. I would likewise beg your Lordships to observe that one of the objects which I particularly held out some nights ago, when I recommended another

measure to your notice, was the desire I felt to put an end to combinations—illegal combinations—in Ireland. Those illegal combinations are founded upon religious opinions. I beg your Lordships to advert to the advantages and to the inducements held out for the formation of such combinations, if we are to continue that policy of law which now exists in that country. Therefore I proceed with confidence to entreat your Lordships to consider this system, and, in order to change it, to adopt the measure the second reading of which I am about to propose. I know it may be asked, ‘If you take away from the 40s. freeholders their right of voting, why do you not adopt the same course with regard to the same class of electors in England?’ But I beg of you to look at the difference in the situation of freeholders in England, and of those who are called by the same name in Ireland.

In England I am aware that leaseholders for life come to the poll to vote as in Ireland; but in general the voters in Ireland are only persons nominally possessing land to the value of 40s. a year, while in England they are the real landowners, or at least landholders, and are rated to and pay the land-tax. They are able to show from whom and for what amount they purchased their property, and moreover they do not receive assistance from the poor’s rates, unless engaged in actual service in the Militia. I beg your Lordships to compare the sort of persons composing the Militia, and forming the body of small freeholders in England, with those persons in Ireland, and to mark the difference between them; and in order to enable you to do so I will read a statement respecting those who have been recently registered in Ireland, and from that statement you may convince yourselves of the truth of what I say. In the county of Antrim, in the north of Ireland, there have been registered, since 1822, 6126 40s. freeholders, of whom 1798 could not write their names. In the county of Armagh, since the same period, there have been registered 8813 40s. freeholders, and of these 3590 could not write their names. In the following counties the proportion of freeholders registered since 1822 who could not write their names has somewhat varied from those in the counties I have already mentioned. In the county of Clare the numbers registered were 10,753, of whom 3853 could not write their names. In the county of Limerick 4632 have been registered, and those who could not write their names amounted to 3336. In the county of Mayo 21,672 freeholders have been registered, and of that

number 19,205 could not write their names; and in Waterford 5335 have been registered, and 3420 of that number could not write their names. Now, my Lords, I think I can confidently say that that is not the case with the small freeholders of England.

I come now to another objection which has been raised against this Bill, and that is, the number of freeholders in fee who will, by the operation of the proposed Bill, be deprived of the same rights as the others. From the return laid on the Table of this House in 1825 your Lordships will be able to see that the number of those freeholders is very small. In some counties there are none at all; in others there are but a few; and the truth of the matter is, that, in general, in Ireland there are none of that description. It happened that two years before that return was made a clause was inserted in the Act of Parliament which enabled persons to register freeholds; and these were often registered without the persons claiming to register them being called on to produce their titles, or to show whether they held on leases for lives, or in fee, or without showing any title whatever, except that the person was in the possession of the land. Neither did he show that he tilled it or grazed it, or for what other purpose he held it, but merely that he was liable to pay a quit-rent for it. Among those persons who showed no right whatever to the freeholds were those who came to vote, and whose votes could not legally be refused. But, my Lords, besides these evils resulting from these tenures, there are other abuses connected with this particular description of freeholders which well deserve your Lordships' attention. I have been informed that there are more instances than one of persons interested in the elections of Ireland, who, having thus created a large number of freeholders under leases for lives, were doomed to disappointment in certain expectations, when, having found reason to believe that the elections would occur earlier than they expected, they have been compelled to transfer the freeholds in such a manner as to convert them from freeholds on lives into freeholds in fee, by which the fictitious freeholders, taking advantage of the registry required by the Act of Parliament, have obtained freeholds in fee, instead of their fictitious freeholds, and thus the Act has operated as a bounty on fraud. Now really, my Lords, after a statement such as this, there can be no doubt that the exclusion of such persons from the elective franchise is a measure that ought to be adopted. I know one or two other circumstances which

warrant me in expecting your Lordships' support to this measure, but with the mention of which I will not trouble your Lordships at this moment. Besides, my Lords, this measure comes recommended, not only as a remedy for evils that are now in existence, but it is beneficial, as providing the means of ascertaining the right of those persons who claim to vote in respect of their freeholds.

It provides that freeholders shall prove what is the value of the freehold in respect of which they claim to vote. It gives the mode of appealing to a jury, and it affords guards such as we hope will satisfy your Lordships that we really mean only to provide a fair mode of discovering the rights of persons claiming to vote at elections, and of persons interested in their result. I can assure your Lordships that it is not our wish or intention, nor would your Lordships consent if it were, to give an influence over elections into the hands of any particular class of persons. Our wish is, that the possessor of land should have as fair an influence under this system as under any other; but we wish also not only that the possessor of land should enjoy this advantage, but that all other persons whose talents are such as to qualify them to serve the public, and who wish to exercise those talents by obtaining a seat in Parliament, should have an equal chance of finding their way thither.

I now move, my Lords, that this Bill be read a second time.

The Duke of RICHMOND felt bound to give to the Bill his decided opposition, and moved, as an amendment, that it should be read a second time that day six months.

Lord FARNHAM thought that the registration of freeholds contemplated by this Bill could be properly entrusted only to the magistracy. By employing in this manner assistant barristers, who were the paid servants of the Crown, the registration was in fact placed in the hands of the Government, a course to which he must most strongly object.

The Earl of MOUNTCASHELL did not expect any improvement in Irish electioneering practices from the provisions of this Bill. The Irish priesthood would still be able to control the constituencies, whether they consisted of 40s. or 10l. freeholders.

*THE DUKE OF WELLINGTON* spoke in the following terms :

I have very few observations to make in reply to what has fallen from noble Lords in the course of this debate. I am not at all surprised that much difference of sentiment should exist, even

amongst the friends of the measures, and that some noble Lords should object that this Bill of Disfranchisement is connected with the measure of relief ; but, at the same time, I beg to recall your Lordships' recollection to the fact that some years ago a Bill, in its provisions nearly similar to that I proposed last week for the removal of Catholic Disabilities, was brought into the other House of Parliament. I am perfectly aware that there is some distinction between the two measures ; but I say that I would not have been a party to the Bill proposed some years ago, for this reason, because it was not complete for the purpose it proposed to accomplish. With regard to the plan now suggested, I think I should have deceived those whom I wish to conciliate, if I had not brought it down to Parliament so complete as to attain all the objects it is intended to accomplish. I was perfectly aware of the objections to be made to the change in the franchise ; but I found in the state of Ireland, under the Act of 1793, sufficient, as I thought, to answer all those objections. The noble Lord (Farnham) has resisted the employment of assistant barristers instead of magistrates, in the inquiry regarding the registration of freeholds in Ireland : but I request him to recollect the objections that exist in Ireland to engaging magistrates in this duty. Magistrates have been employed in the registration of freeholds in Ireland, and that system entirely failed ; it did not effect any one purpose for which inquiry and registration were instituted. Under these circumstances we have called in the aid of the assistant barrister. But, says the noble Earl, he is a servant of the Crown, and cannot be trusted. An assistant barrister is, however, a professional gentleman, of education and of independent character, who could not be influenced, even if the Government were base enough to try to warp his judgment. A noble Earl, also on the cross-bench (Mountcashell), asserted that the priest will have as much influence over the 10*l.* freeholder as over the 40*s.* freeholder. I entreat that noble Earl to reflect that persons of one description have power over those of another description in proportion as the first are educated and the last ignorant. When I moved the second reading of this Bill, in the beginning of the evening, I read from a document the proportion which the ignorant freeholders who could not write their names bore to those who could write their names, at a particular period. There can be no doubt that the assistant barrister will find that the men who hold freeholds

of 10*l.* a year are, for the most part, farmers who have land under cultivation, besides their freeholds, and who must be better instructed and more independent of the priest than the beggarman who swears that he has a freehold of 40*s.* a year. I contend that, by this Bill, you will relieve the country from that objectionable influence ; and I entreat your Lordships to allow it to go into the Committee, where the particular provisions may be considered, and noble Lords may propose such amendments as they may think required. I beseech your Lordships, at the same time, not to amend the measure unnecessarily ; and, above all, not to endeavor to render it inefficient for its purpose.

The House divided : Contents, 139 ; Non-contents, 17. Majority in favor of the second reading, 122.

Bill read a second time.

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*April 7, 1829.*

### MILITIA LISTS BILL.

**THE DUKE OF WELLINGTON** moved that the Militia Lists Bill be read a third time.

Lord ORIEL thought the Bill inflicted a grievous injustice on the Militia, whose services during the war seemed altogether forgotten.

Lord FARNHAM also complained of the suppression of three whole classes of officers by its enactments.

**THE DUKE OF WELLINGTON** said :

I can assure my noble friend (Lord Oriel) that there is no intention not to look upon the Militia with as much attention as ever we looked upon it in time of war. The object of Government in this Bill is to provide for the saving of public money in cases in which the good of the service does not require the expenditure of it. I am sure that my noble friend will agree with me that, if money can be saved to the State, the principle of saving is not to be neglected because the sum to be saved is small. No doubt a great reduction is to be made in the officers belonging to the staff of the Militia. For some of the persons so reduced the regulations of the service do permit us to make retired allowances ; but for others they do not ; and the Government is ready to make them to those who were in the service during the war, but not to those who entered it since the Militia has been disembodied. It is not for us to provide pensions for persons who have been in the public service

but a short time, especially when the regulation states that such persons are not to be allowed compensation.

With respect to what fell from the noble Lord below me (Farnham) I must say that the public has a right to dispense with the services of the non-commissioned officers and soldiers, not only of the army, but also of the Militia. The regulations give pensions to some soldiers and not to others, and my noble friend says that we ought to be liberal to them in all cases. They are given to the Militia in some cases in which they are not given to the regular army: and I think that we cannot go further than we have done, without the violation of the usual regulations, and without neglect to the interests of the public service.

Bill read a third time, and passed.

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#### ROMAN CATHOLIC DISABILITIES RELIEF BILL.

In Committee on the Roman Catholic Disabilities Relief Bill.

The Earl of CLANCARTY strenuously opposed the Bill, as a measure extorted from the Government by the Irish agitators. The recent release of one of that body from an imprisonment for libel was generally viewed as a concession to their menaces; if the inference was erroneous, perhaps the noble Marquis lately at the head of the Irish Government (Anglesey) would explain the circumstances.

The Marquis of ANGLESEY must be excused entering into the explanation demanded.

The Duke of RUTLAND considered that means should be taken to preclude Roman Catholics from the Premiership.

*THE DUKE OF WELLINGTON* said:

Although my noble friend (the Marquis of Anglesey) does not feel it his duty to give any explanation of the circumstance to which the noble Earl has referred, I hope your Lordships will allow me a few words. But first I would beg to remind the noble Lord (Clancarty) and the House of the reasons which I have before urged for submitting the measure to you—reasons founded upon the state of Ireland, and paramount to any consideration of the Catholic Association. These reasons are referable to the safety and honor of the State; the first of which might be sacrificed if the Government took no step of this nature; and the second compromised, if coercive measures were not adopted for putting down a body which had become dangerous. My noble friend (Lord Clancarty) has left out of his consideration that a



most important Bill has been passed this Session, for putting down the Catholic Association ; and a month elapsed after that body had submitted to the authority of Parliament before I introduced the measure now before your Lordships, and which I felt it my duty to submit as soon as possible after the first measure had been carried.

But my noble friend complains of the liberation of a person who had been convicted of libel, before the expiration of his sentence. I will tell my noble friend that that step was founded upon the report made to Government of the state of that individual's health, and that his life must have been sacrificed if his confinement had been prolonged. The noble Lord then at the head of the Government of Ireland stated the circumstance, and His Majesty's servants would not have done their duty if they had not advised the course which was adopted. But the fact had no reference whatever to politics ; for the same thing would have been done had the state of things in Ireland been twenty times worse than it was at the time. I believe my noble friend (Lord Clancarty) is personally interested in the circumstances to which he refers ; but that could have had no weight with the noble Marquis then at the head of the Government, who was acting in the performance of a duty for which he was responsible ; and most certainly the noble Marquis would have been answerable for the consequences if he had not advised the course which was adopted in that case. Having felt it necessary to state this, I cannot help deprecating the introduction of questions of this kind, to the delay of the important measure before the House, with which such questions have no connexion whatever. Before I sit down I will say a word as to what fell from my noble friend (the Duke of Rutland), for whom I have the highest respect.

My noble friend has suggested that Roman Catholics should be restricted from eligibility to the office of Prime Minister. I can assure my noble friend that I should be disposed to do anything to gratify him, not inconsistent with the principles and provisions of the Bill ; but he must be aware that there is no such office as that of Prime Minister known to the Constitution. The person generally at the head of the Administration is the First Lord of the Treasury, and for many reasons, which it is not necessary for me to explain, I think that a convenient arrangement, as the First Lord of the Treasury is more immediately connected with the finances of the country ; but the Chief Minister, or head of the

Administration, is not necessarily the First Lord of the Treasury. He is sometimes the Secretary of State for Foreign Affairs, or the Lord Privy Seal, or may be any other member of the Administration: so that the Prime Minister cannot be well defined in the Act by mentioning any one of those offices. But I think the objection of my noble friend is not well founded. The Bill before the House makes ample provision, in case the head of the Administration should be a Roman Catholic, by taking from him all control over Church patronage, and confiding it to hands which must be above all suspicion as to its being exercised injuriously to the Church. My Lords, it is not necessary for me to say any more on that subject now, as the point will come under discussion in the Committee.

The Earl of MOUNTCASHELL proposed by way of amendment, that no Roman Catholic being in holy orders should be capable of sitting in the House of Peers.

*THE DUKE OF WELLINGTON* said:

My Lords, the case to which the noble Earl alludes as likely to occur is, in my opinion, a very problematical contingency. The object of part of this Bill is to admit Roman Catholics into Parliament; and as soon as the principle of this Bill shall have been acknowledged, and shall have passed into a law, it will become the right of Roman Catholics to sit in both Houses. Now I ask the noble Lord whether it would then be proper to establish a distinction among the persons capable of sitting here with your Lordships, upon so improbable a contingency as that one of them may be an ecclesiastic of the Church of Rome? It would be an insult rather than anything else to introduce an exception into the Bill of so invidious a nature.

Amendment withdrawn.

The Earl of FALMOUTH proposed an amendment to allow Roman Catholics to be elected members of Parliament only by Irish constituencies.

*THE DUKE OF WELLINGTON* said:

My Lords, the measure before us proceeding upon the principle that it is expedient to admit Roman Catholics into Parliament, and your Lordships having adopted that principle by consenting to the second reading of the Bill, I ask the noble Earl why it is expedient to exclude Roman Catholics from representing

places in England and Scotland? The noble Lord has advanced no arguments and shown no reasons in proof of the expediency of excluding Roman Catholics from representing places out of Ireland. He says he wishes to limit the number of Roman Catholic representatives to 100; but does he mean to say that all returned from Ireland will be Roman Catholics? My Lords, I should be very sorry, and so would many of my noble friends around me, to think that all the Irish representatives will be Roman Catholics. I accordingly submit, my Lords, that before the Committee can agree to adopt the noble Earl's amendment, he must show us some reasons in favor of it.

Lord KENYON advocated the amendment.

*THE DUKE OF WELLINGTON* said:

My Lords, it appears to me that the noble Baron (Kenyon) has forgotten what we have already voted. I think, my Lords, that when once the principle that Roman Catholics are eligible to seats in Parliament has been conceded, there can be no reason why English Roman Catholics should not be admitted to the enjoyment of that which will be their right so soon as the principle of this Bill (to which we have assented by reading it a second time) shall have become the law.

Amendment withdrawn.

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*April 8, 1829.*

Lord FARNHAM presented several petitions against the Catholic claims, one of which complained of a practice on foreign stations of compelling English troops to assist at ceremonial observances of the Roman Catholic and Greek churches.

*THE DUKE OF WELLINGTON* said:

My Lords, I must say, that although I have served in my profession in several countries, and among foreigners, some of whom professed various forms of the Christian religion, while others did not profess it at all, I never was in one in which it was not the bounden duty of the soldier to pay proper deference and respect to whatever happened to be the religious institutions or ceremonies of the places where he might happen to be. We soldiers do not go into those foreign countries to become parties

to the religious differences of the people, or to trouble ourselves with their notions upon matters of faith. We go to perform a very different kind of duty, one which is purely military, and has no reference to the people's religion. I confess I never heard, however, that it was our custom to take any part in these religious rites, nor do I believe we have taken any such part as this petition imputes. Indeed, I never heard of anything like any co-operation by our soldiers of military parade, except at Malta, where I know it has long been the practice of the garrison to direct some artillery officers to cause a few small guns to be fired as some particular procession passed the platform. And I know that certain officers of the artillery, or military, three of them, I believe, thought proper, on military grounds, and not upon religious scruples, to refuse to fire, according to the usual order of their commandant; for such refusal they were brought to a court-martial, and sentenced to be cashiered, not because they would not form a part of any religious procession to which they were hostile, not because they would not conform to the rites of the natives, and worship any relic that was honored by them, but for this plain and intelligible reason, that they had taken upon themselves to refuse obedience to the orders of their Commander-in-Chief on the spot, who, according to a long-prevailing custom, directed the usual salute to be made at the appointed time. I saw in the copy of the proceedings that this was the ground taken by the court-martial, and I know that when submitted to His Majesty for supervision by the Commander-in-Chief at home, the sentence of the court-martial was approved and confirmed upon that ground. If any other transaction of this kind has occurred, except this particular case at Malta, all I can say is, it is unknown to me.

Lord FARNHAM wished to know whether the Marquis of Hastings, when Governor of Malta, had not issued an Order rescinding the practice of these military attendances; and whether such Order had not been revoked by subsequent instructions from the highest military authorities at home?

*THE DUKE OF WELLINGTON* said :

In answer to the question of the noble Baron, I have to state, my Lords, that I think Lord Hastings did make some alterations in the usual practice of the garrison at Malta, on the occasions alluded to; and as well as I can recollect, the Commander-in-

Chief, at home, did countermand the Order so issued by Lord Hastings.

In Committee on the Bill.

On the clause being read substituting new oaths for the Oaths of Allegiance and Supremacy,

The Earl of VERULAM proposed a clause to prevent more than one Roman Catholic peerage being created for every three which might hereafter become extinct.

Lord REDESDALE objected to this amendment, as altogether useless, religion not being necessarily hereditary.

*THE DUKE OF WELLINGTON* said :

My Lords, my objection to my noble friend's proposal is, that it would be to establish for us a new Catholic question at the very moment when we are trying to get rid of that subject altogether. It is also to interfere directly with the royal prerogative; and why? upon, I must say (with great deference for my noble friend), an apprehension formed upon one of the most extravagant hypotheses that I have ever heard conjectured; namely, that any Protestant Sovereign of England would be likely, for any purpose whatever, to inundate the House of Lords with a host of Roman Catholic Peers. Besides this, my Lords, the answer which has just been given to such an hypothesis by my noble and learned friend (Lord Redesdale), appears to me quite conclusive, namely, "that religion is not hereditary with the Peerage;" and how are we to know, I ask your Lordships, when these Peerages become extinct? I do not say that men are prone to change their religion, but I know they sometimes do; and how are we to trace this in looking into such a subject? For these reasons I oppose the proposal of my noble friend.

Amendment withdrawn.

On the clause, prohibiting Roman Catholics from holding certain high posts in the State being read,

Earl KENYON proposed very greatly to increase the list of excepted offices.

The Duke of RUTLAND supported the principle of the amendment.

The Marquis of LANSDOWNE opposed it, as tending to defeat the objects of the Bill. Emancipation clogged with such insulting exceptions would be no boon at all.

*THE DUKE OF WELLINGTON* said :

It is impossible to add anything to what has been stated by the noble Marquis (Lansdowne), in reply to my noble friend be-

hind him (the Duke of Rutland); but, out of respect to the noble Duke, I shall say this, that if he wishes to carry his views into effect, that would be best accomplished by voting for the clause proposed by the noble Baron (Kenyon), and afterwards making such additions to it as he may think proper. The object of the noble Baron we propose to accomplish by two clauses; the first to transfer the Church patronage of the office to the Archbishop of Canterbury, the other to make any ecclesiastical interference by Catholics a forfeiture of office. The noble Duke could not effect the same object by any other mode than by preventing Roman Catholics from becoming Privy Councillors, which provision, I am sure it will be admitted by noble Lords, could not be introduced in the present measure. The truth is, as the noble Marquis has stated, there is no such office as Prime Minister; and there is no other way to prevent Roman Catholics from advising the Crown with respect to the disposal of Church patronage, except by the mode adopted in this and the subsequent clauses.

Amendment negatived.

On the clause, enacting the forfeiture of 100*l.* for giving ecclesiastical titles to the Catholic clergy, other than those acknowledged by the Law,

The Earl of MOUNTCASHEL moved an amendment, that, 'whosoever should address a Catholic bishop or archbishop by the title of a peer of the realm, shall be deemed guilty of a misdemeanor.'

The Earl of MALMESBURY considered that the clause, giving no security, was a farce, which should be omitted altogether.

*THE DUKE OF WELLINGTON* said:

My Lords, I cannot support the amendment, but I beg to offer a few remarks on the clause itself. The clause itself certainly affords no security, but it will give satisfaction to the United Church of England and Ireland. In 1792 a law was passed in Ireland which prevented Catholic priests from assuming the titles of the Established Church; but that law was repealed by the Act of 1793, and since then the assumption of these titles has increased. According to the law of England the title of a diocese belongs to the person appointed to it by the Crown; it is desirable that other persons appointed to such diocese by an assumed authority should be discountenanced, and that is the reason why the clause was introduced. This, my Lords, is one of the instances which show how difficult it is to legislate upon this subject at all. I am aware, I repeat, that this clause gives no security to the

Established Church, and does not strengthen it in any way; it is inserted to give satisfaction to those who were disturbed by this assumption of title by the Catholic clergy.

Lord REDESDALE thought the better course would be to omit the clause altogether.

Lord TENTERDEN said the clause afforded no security at all, though the noble Duke, some time ago, declared that the securities which the Bill would comprise, must satisfy everybody. He suggested that, in the end of it, a clause should be introduced, declaring it to be unlawful for any person, thereafter, to accept of any such nomination to the title of archbishop or bishop.

*THE DUKE OF WELLINGTON* said:

My Lords, I feel that if I could be a party to the introduction of such a clause as that recommended by the noble and learned Lord (Tenterden), I should be guilty of a recognition of that which I conceive to be highly illegal; I feel that I should be acknowledging an assumption of authority by a foreign power, which is utterly inconsistent with the Constitution of this country. I do not, my Lords, mean to say, that it is true that the persons alluded to are nominated as Bishops, and even placed in the care of dioceses, by an usurped authority. I certainly will not say that. But I do not, and cannot, recognise, in any manner whatsoever, appointments of such a nature; because it is evident that these appointments are made by the power of usurpation. But we, my Lords, can know nothing of that usurpation, nor of the assumption of those titles. I repeat, that of the assumption of such titles, the framer or author of this Bill knows nothing. It is true, as has been stated by the noble mover of the amendment (the Earl of Mountcashell), that the clause would have been more perfect, if persons could have been prevented by it from giving those assumed titles of Archbishops and Bishops in writing. But I beg your Lordships to advert to the difficulty of carrying such a principle into effect. Let your Lordships look to your own proceedings, let us examine our own Journals, and we shall find places over and over again, where these titles are given in print to those individuals. It is impossible, therefore, to deal with titles under such circumstances. All your Lordships can do is, to declare that these titles shall not be assumed by those persons in future.

My Lords, I cannot conceive that they can suffer any inconvenience in carrying on their spiritual concerns because they are

prohibited from assuming those titles. And I must say that, though I mean not to urge the clause as a powerful security in Ireland, yet I am sure that it will give great satisfaction to many persons in that part of the United Kingdom. The noble and learned Lord (Tenterden) has attributed to me an expression that I did not use. Now, before the noble and learned Lord attempted to fix it on me, he ought to have made himself master of the fact. I never said one word of the description which has been ascribed to me relative to securities. What I said was this, that the measure which I should have the honor to propose to this House would be, in my opinion, and it still is in my opinion, calculated to give satisfaction to the House and to the country; and that, in its effects it would be found to be a measure more calculated to prevent the growth of Popery than to increase it. These are the words, as near as I can recollect, of which I made use in speaking to my noble relative, who is now in the House. It is scarcely necessary, my Lords, to mention, that this took place within two days of the period when my Right Honourable friend brought this Bill into the House of Commons; and certainly it will be admitted that I could not have intended to deceive your Lordships, with respect to a point on which I knew your Lordships would be set right in two days. What I said was, that the measures which would be proposed were calculated, in my view of the subject, to give satisfaction. I am still, my Lords, of the same opinion. I think that they are likely to produce tranquillity, and to prevent the effusion of blood in Ireland.

Clause agreed to.

Lord FARNHAM objected to the clause, giving a power to the Secretary of State to grant licenses to Jesuits to come into this kingdom, and to remain here for 6 months.

*THE DUKE OF WELLINGTON* said:

It may so happen that at this moment there are persons belonging to the society of Jesuits, who are natural born subjects of this realm, and who at the passing of this Act are out of this country. It would be a very great hardship on them to prevent them from returning home. The object then of this clause is to allow such persons to return to this kingdom after the passing of this Act, and to permit the visits of foreigners here for literary purposes.

Clause agreed to.



292 QUALIFICATION OF FREEHOLDERS (IRELAND) BILL. 1829.

*April 9, 1829.*

In Committee on the Qualification of Freeholders (Ireland) Bill.

The Marquis of LANSDOWNE, while approving of the prospective part of the measure, feared that its retrospective portion would deprive a large class of persons of rights, honestly acquired and honestly exercised.

The Marquis of CLANRICARDE objected to the power which the Bill would give to the assistant barristers.

*THE DUKE OF WELLINGTON* said :

The persons now under discussion are called freeholders, and the noble Marquis (Lansdowne) supposes that we are depriving them of their vested rights; yet the same noble Marquis, who knows the country perfectly well, tells us also, and almost in the same breath, that they hold under leases, that their rent is in arrear, and that nothing is more easy than for their landlords to eject them, and to deprive them of their vested rights. Thus a landlord may do when he pleases that which Parliament is never to be permitted to do. But I did not rise to confute the noble Marquis, who has, in fact, confuted himself; but to refer to a point noticed by another noble Marquis (Clanricarde), who referred to the subject of the assistant barristers. He asked whether that officer who is to act under this Bill will be independent? I can assure him that Government will pay the utmost attention to this subject, and will take care that no assistant barrister shall be appointed to preside over the registration of freeholds who is not entirely unconnected with the county for which he is to act. I believe that the assistant barristers are now thus disconnected, and it is the intention of Government hereafter to pursue the same system as much as possible.

Lord FARNHAM proposed an amendment extending the operation of the measure to city and borough as well as county constituencies.

*THE DUKE OF WELLINGTON* said :

I object to the amendment. I certainly have felt it to be very desirable not to extend the principle of this measure further than might be absolutely necessary. I am ready to admit that there are abuses in these boroughs and cities; but though there are, they cannot be carried so far as in the counties at large. In the first place, the land in the neighbourhood of these boroughs and cities is much more valuable than in the counties at large; and, therefore, it is not likely that the abuse would be carried so

far. In the next place, there is a remedy, supposing the abuse to be carried to a great extent, in the power which corporations have of making a large number of freemen ; which power is one that the Legislature cannot very easily check or control. Under these circumstances, therefore, I considered it my duty not to touch the franchise of boroughs and cities in this Bill.

My noble friend, when he spoke before on this subject, stated that the boroughs and cities were excepted from the operation of the Bill, in order to facilitate the passing of it. It is not necessary for me to state whether that is the case or not ; I shall only say that I did not consider it necessary to extend the operation of the Bill to boroughs and cities. I could not help seeing that a great abuse of the elective franchise has taken place in boroughs and cities, that there is much consequent perjury committed there, and that many persons vote who have no right to vote. All this may be an abuse very proper to be remedied at another period, but I do not think it necessary to remedy it at this time, and therefore I shall oppose anything of the sort being admitted into this Bill. If any noble Lord interested on this subject, or any Honorable gentleman in the other House of Parliament should think proper to bring forward a measure, in order to regulate this matter, all I can say on the subject is this, that I will give my best attention to the question, but cannot undertake to interfere in it. I do not think Government should interfere in this case.

Amendment negatived without a division.

Viscount GORT submitted that assistant barristers ought to go into every county twice in each year, instead of once only, as at present.

*THE DUKE OF WELLINGTON* said :

I believe the fact is so in the county of Galway ; but, at the same time, it must be observed, that the Lord Lieutenant has the power of ordering assistant barristers to go into a county as often as necessity may require. I say the fact is as the noble Lord states it to be in the county of Galway ; but I believe that in other counties assistant barristers attend more frequently. At all events, my Lords, they shall attend as often as necessary for the future.

Bill reported.

*April 10, 1829.*

**THE DUKE OF WELLINGTON** moved the Order of the Day for the third reading of the Roman Catholic Disabilities Relief Bill.

The Earl of ELDON said that he could not consent to an Act which he conceived would stamp him as a violator of his solemn oath, a traitor to his Church, and a traitor to the Constitution.

The Duke of NEWCASTLE considered that the grounds alleged for this measure were perfectly futile.

The Duke of CUMBERLAND had, in the outset, stated his willingness to the noble Duke (Wellington) to consider as favorably as possible the arguments in favor of the Bill, but he had heard nothing to justify the noble Duke's measure.

The Duke of SUSSEX supported the Bill, and expressed his feeling that the victory which the noble Duke (Wellington) had obtained in this instance, would far eclipse any that he had gained on the tented field. The laurels which the noble Duke had so long worn as the fruits of conquest, would be hereafter exchanged for the olive of peace; and his reward would consist, not only in the approbation of his own conscience, and the happiness which that consciousness bestowed, but in the lively gratitude of millions rendered happy and content, and restored to their place in society by his intrepid patriotism, and devotion to the interests of mankind.

**THE DUKE OF WELLINGTON** spoke in the following terms:

My Lords, at this late hour of the night I shall detain your Lordships but a few moments, while I make a few observations in reply to some of the arguments which have been urged against this measure in the course of this discussion; and in doing so I beg to claim the attention of the noble and learned Lord on the cross bench (Earl of Eldon). I had hoped that that noble and learned Lord (who has been the great opponent of this measure) would have come down this evening with some legal arguments in answer to those which have been so ably urged by my noble and learned friend on the Woolsack, and by my noble and learned friend who sits opposite (Lord Plunkett). But, instead of doing that, the noble and learned Earl has again occupied the time of the House with personal attacks upon me and my Right Honorable friend in the other House of Parliament; and he has repeated the charge against us, that, in bringing forward this measure, we have taken the country by surprise. My Lords, I conceive that the noble and learned Earl should have borne in mind that we could not, as the responsible advisers of the Crown, have brought forward this measure until we had known the King's sentiments upon it, and we could not declare those sentiments to the country

until the precise moment when they were and ought to be made known, namely, in the King's Speech. I therefore positively deny the charge which the noble and learned Earl has preferred against us upon that head. I say that the public were not taken by surprise in this or by this measure. I say that the public were informed of the nature of this measure at the earliest possible period that they could be informed of it, by the King's Speech; and nearly two months now have elapsed since that announcement was made, a period amply sufficient for the consideration of the question. Why, my Lords, the very number of petitions which have been presented against this measure, the petitions which have been presented by the noble and learned Earl on the cross bench, by another noble Lord, whom I do not see this evening in his place, and by many other noble Lords now present, against this measure, amounting, I believe, to nearly two thousand in the whole, sufficiently attest the fact that the public have not been taken by surprise on this question. I rejoice, my Lords, that those petitions have been presented. I consider them, after the endeavors which have been made to impress the people with a notion that the Government intended to introduce a measure in favor of Popery and arbitrary power, I consider them, notwithstanding that such efforts have been made to get them up, an advantage; and I rejoice that they have been presented, because they demonstrate the truth of my position, that the public have not been taken by surprise by the introduction of this measure. The noble and learned Earl has found fault with the manner in which he says this question has been hurried through this House. I certainly feel that your Lordships' consideration has never before been given more deliberately to any measure than it has been devoted to the Bill now before us. It appears to me that to no question has more attention been given than to the present one, and no question, I think, has been more fully or fairly discussed. It is quite true that I am anxious that this Bill should be carried before the Easter holidays; it is quite true that I am desirous that Parliament should now, as soon as possible, pass this measure, because I am anxious to put an end to the agitation which prevails on the subject, I will not say in the country, but in this city. I am undoubtedly anxious that this Bill should be carried, in order that the agitation which prevails in the metropolis may be allowed to subside.

The noble and learned Earl entered into a long discussion of

the oath of supremacy: but I should like to know whether this Bill will bring into the country a single Roman Catholic more than if the oath of supremacy had not been altered with regard to them? The noble and learned Earl cannot say that it will; and let me ask him what does this Bill? It admits into this House five or six Peers, and a certain number of members into the other House, who cannot take the oath of supremacy. I beg your Lordships to look back to the history of the country, and to observe how long the Protestant religion existed when Peers had seats in this House without taking the oath of supremacy, and with no other security than the oath of allegiance. The Acts of 25th Charles II. and 30th of Charles II. were not established from any fear of Popish members, but from a just dread of what might be done by a Popish sovereign and a Popish successor. Is there any danger of a Popish sovereign or of a Popish successor now? If not, then I say that there is no danger proved from the substitution of the oath of allegiance in this Bill for the oath of supremacy as it has hitherto existed. The noble and learned Earl has talked a great deal now, and on former occasions, about securities; and if this Bill did, or was likely to do, any mischief, I should say, too, that securities ought to be given. I have already stated the dangers that would result from those very securities; and I beg to be informed what security we should have against the securities contained in the measures referred to by the noble and learned Earl. It seems to me that these securities, as he terms them, would create the greatest possible danger to the Church Establishment. The Bill upon the table leaves the Established Church and the Roman Catholic religion in the state in which at this moment they stand; and all it does is, for the reasons stated, to admit Roman Catholics into both Houses of Parliament. Next, the noble and learned Earl talks of the perils arising from Popery, of the Act of Philip and Mary, and he speaks of this Bill as if it were just as great a usurpation as that Act. The pastoral letter of Dr. Troy, the usurpation of power as regards marriage, and various other matters of the same kind, also occupied his attention, which have no more to do with this question than they have to do with the establishment of the religion of Scotland. The fact is, that these are all usurpations upon the Church of England, and they will be treated as usurpations; as to the question of marriage, for instance; if a man does not choose to submit himself to the decision of the

Roman Catholic Bishop, or the Pope, the sentence of the Bishop, or of the Pope, cannot be carried into execution. Nay, I will venture to assert, in opposition to the noble and learned Earl, that a sentence by a Roman Catholic Bishop, supported by the decision of the Pope, could not stand for a moment against the determination of the Ecclesiastical Court, and all the terrors of excommunication would be of no avail in the most insignificant court of law in the kingdom. Therefore, when the noble and learned Earl tells us of the power of the Pope, it is about on a par with his talking of the power of the common law against the Catholic Association. When he sat upon the Woolsack in 1825 he did not say, 'Trust to the common law, that will be sufficient; let things go on as they are, for they will last our time, and, if a change be necessary, let us leave it to our successors.' This language has been held too long already, and too much attention to it has brought us into the very situation of difficulty in which we now find ourselves. On this I rest the Bill, that it is impossible to govern Ireland without it. The noble Lord complains that we do not tell him what our case is; but before I proceed to that point, I wish to notice another which I have omitted. He not only disapproves of this Bill, but he says that he approves of another measure brought in by the Right Honorable Gentleman who first moved this question, Mr. Pitt. I wish he would declare positively, aye or no, whether he did formerly approve of the plan of securities of Mr. Pitt, and whether he approves of them now. Does he sanction the formation of an establishment for the Roman Catholic clergy in Ireland? It is perfectly true that such a plan is not included in my measure, and I gave my reasons for not including it.

I now come to the complaint, that I have not disclosed my case and given my reasons for bringing forward this Bill. I thought I had stated, as clearly and as fully as I could, what was the present condition of Ireland, to which it had been reduced by a series of misgovernments,—misgovernments that no man can deny. I am not surprised that the noble Duke should not be aware of that condition; but the noble and learned Earl, from his official situation, must have known both of its growth and existence; and that he, of all men, should say that he is without information, is one of the most extraordinary circumstances I ever remember. There can be no doubt that evils arising from misgovernment do exist in that country to a degree unparalleled in the history of any civi-

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lized country, and I know of no remedy but that extremity I adverted to on a former occasion, or the measure we are now about to carry. When I am asked what prospect we have of success, I answer, that I certainly am sanguine that the amelioration of the country will be the consequence of this Bill. It has already been stated by a noble Lord, that the higher and richer order of people will have an interest in tranquillity: they will therefore aid in preserving it, and set an example to the lower and poorer order, of harmony and satisfaction. That is all we desire: if they set the example, the country will be quiet; if not, I cannot pretend to say that the measure will nevertheless answer. This I will say, that, if this measure does not answer, I will come down to the House with the statement of the case, and ask the House to adopt other plans which I may think will tend to the security, happiness, and prosperity of the country.

I have, on former occasions, expressed my great concern that, in consequence of considering it my duty to bring forward these Bills, I have been separated from many of my friends, and particularly, let me add, from the noble and learned Lord. I find this night that I have also the misfortune to have lost the confidence of another noble Lord, an illustrious personage (H.R.H. the Duke of Cumberland). I confess that, knowing the zeal, anxiety, and intensity of feeling of that illustrious personage on this question when he was pleased once to express, at an early period of these discussions, his approbation of my conduct, I did not suspect that the duty I might have to perform would unfortunately deprive me of his support. I did hope that I might possibly regain his confidence, but I must regret, after what has passed, not only that I have lost it, but that I am not likely to recover it. All I can say is this, that I have neither committed an action, nor uttered a word upon this subject, that I did not consider it my duty to His Majesty and to the public to do and to say. But I must likewise add this, that, in proportion to my regret at not having had the support of some of my friends, is my gratitude to those who have relied upon me and given me their assistance. I have likewise to return my thanks to the noble Lords opposite, with whom having no political connection, I had no right to expect the cordial and handsome support they have given me. I cannot sit down, my Lords, without congratulating the House and the country that this measure has now arrived almost at its final stage

in this House, and I confidently trust that ere long we shall behold its beneficial effects displayed in the establishment of the peace, the happiness, and the prosperity of the country.

The House divided : Contents, 218 ; Non-contents, 109. Majority, 104.  
Bill read a third time and passed.

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*April 13, 1829.*

CASE OF MR. ÆNEAS MACDONNELL.

The Earl of CLANCARTY moved for copies of the medical testimony upon which Mr. Æneas Macdonnell, lately confined for libel in Kilmainham gaol, was understood to have been released, and of any sureties given for that person's future good behaviour. His desire was to ascertain that the prerogative of the Crown had not been perverted to serve political purposes.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, it is not necessary to follow my noble friend who has just sat down through the last parts of his address to your Lordships. I shall therefore confine myself entirely to my noble friend's motion, which is for the production of certain papers connected with the pardon extended by His Majesty to a gentleman named Æneas Macdonnell, whereby that individual was released from a part of the punishment to which he had been sentenced under a conviction for libel. I quite concur in the position deducible from my noble friend's speech, that these cases of the exercise of the King's prerogative of mercy, although not entirely exempt from the inquisition and investigation of Parliament, yet are possibly of that description that, of all the prerogatives of his Majesty, they ought to be least liable to inquiry by either House of Parliament. These are cases in which His Majesty is frequently called upon to exercise his own judgment ; the prerogative is frequently carried into execution under these circumstances, and always with the greatest possible care ; and it will therefore be apparent that, if any investigation at all is to be instituted, the House must be most cautious in the inquiry. In the present case there is only one ground on which my noble friend could call for the production of the documents required ; and that ground consists in the, possibly irregular, statement which I made in reference to the subject on a former evening, when I alluded to the opinion of physicians as to the state of Mr. Macdonnell's health. This, in



fact, is the only ground of any weight which my noble friend has mentioned for the production of those papers. My Lords, I may have been incautious in what I said, not being very much accustomed to address your Lordships ; I may have been guilty of a breach of order, or an infringement on the established practice of debate, but I consider that an irregularity on my part does not afford ground (at least, not Parliamentary ground) for departing from the wholesome practice of not inquiring into the exercise of the prerogative of mercy by His Majesty, or by the individual appointed to represent his authority in Ireland. At the same time, having stated this, I must say that, as far as regards this particular case (and without reference to the principle I have laid down), I myself have not the smallest objection to the institution of the strictest inquiry into it ; for never was there a case, my Lords, in which more pains were taken, not only by the noble Marquis at the head of the Government of Ireland, but by the Government of this country, in order to ascertain precisely the state of Mr. Macdonnell's health, and the probable injury he might sustain by continued confinement, before that individual was released. I repeat, there could not have been more pains taken, or a more minute inquiry instituted, than was resorted to. I have before me no less than two reports, made in consequence of as many inquiries instituted, within the short distance of ten days of each other, to ascertain the exact facts of the case.

Before the noble Earl proceeds to inquire into the subject, and to call for papers subjecting the exercise of His Majesty's royal prerogative to investigation, he ought to have shown more than he did,—at least something more than the fact of my mentioning the circumstances of the case in a former debate. The noble Earl states that courtesy was neglected in the exercise of this authority towards the objects of the libel for which Mr. Macdonnell was confined and punished. This gentleman came before the Government of Ireland in the state of a person who absolutely required pardon, in order to save his life ; and who did not ask a remission of his punishment as a favor. If he did ask an abridgment of the term of his imprisonment as a favor, and if the Government were disposed to negotiate with him upon the granting of that favor, then they might have imposed conditions upon him. But he claimed pardon as a matter of necessity. Government were told in ... 'If you do not release this gentleman, he will suffer more

than the law imposed on him.' With what face then, with what show of propriety, could Government, under these circumstances, require Mr. Macdonnell to ask pardon of his prosecutors, or enter into recognizances by himself or others that he would not be guilty of a like offence in future? It was the duty of Government to grant the mitigation required. I am astonished that my noble friend, considering his legal education and the acute character of his mind, should have expected that the Government would have exposed themselves and their authority to derision, by adopting such a course as the making this application, and proposing these conditions. We will suppose this gentleman to be at the point of death, and that he declared he would not apologize to his prosecutors, nor enter into any recognizances as to his future conduct. Is he, therefore, to be permitted to die in prison? It was impossible to admit of such a thing. The proposition to Mr. Macdonnell to enter into recognizances to be of good behaviour would have been as gross as to have required him to apologize to the individuals libelled. It would have been a further degradation of the authority of Government. On these grounds, it was the duty of Government to stand upon the usual practice in these cases, and not grant a matter of right and necessity as it were a favor. I consider myself justified in opposing the production of the documents required by my noble friend. I consider it to be my duty to stand upon the usual practice and principles acted on in this House, not to inquire into the exercise of this branch of His Majesty's prerogative; and I must therefore call upon your Lordships to decide against granting the papers required by the noble Earl.

The Marquis of ANGLESEY justified the propriety of the refusal of His Majesty's Government to grant the papers which had been moved for.

The Earl of CLANCARTY thought the papers would not be refused if the medical men were so unanimous in their opinion as had been stated.

*THE DUKE OF WELLINGTON* said :

I am sure that my noble friend is very kind in supposing that I could be capable of stating the opinions of the physicians to be all of one way, when I had in my pocket the opinion of one of them to the contrary; or that I could state anything which I was not firmly convinced to be true. What I said was, that I understood these physicians had signed a certificate that there was probable danger of Mr. Macdonnell's being at the point of death if

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longer confined. I understood that to have been their opinion. I should not have made this statement if I had not been so informed in the proper quarter.

Motion negatived.

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May 4, 1829.

### MARQUIS OF ANGLESEY'S RECALL FROM IRELAND.

The Marquis of ANGLESEY stated that the circumstances which had attended his recall from his post of Lord Lieutenant of Ireland, made it a most painful and anxious matter to bring the subject before their Lordships, although he felt conscious of having the means of vindication. His Lordship then entered into a detail of events which had occurred during his Viceroyship, and, 'having received His Majesty's gracious permission,' read to the House the letters of Mr. Peel and the Duke of Wellington on the subject of his conduct, as also his own answer. His Lordship concluded by moving for copies of 2 of the letters, 'one from the Right Hon. Robert Peel, to the Marquis of Anglesey, dated 10th January, 1829, and the other the Marquis of Anglesey's answer, dated the 14th of the same month.'\*

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\* *The Right Hon. R. Peel, Secretary of State, to His Excellency the Lord Lieutenant, K.G.*

(The terms of this letter are explained in the answer, as follows.)

*The Marquis of Anglesey, K.G., to the Right Hon. R. Peel, Secretary of State.*

SIR,

Phoenix Park, January 14, 1829.

I have received your letter of the 10th January, notifying to me that His Majesty's Government had taken into their consideration a letter which had been published in the newspapers purporting to have been addressed by me to the Rev. Dr. Curtis; that it appeared to His Majesty's Government that in writing that letter to Dr. Curtis, I had acted in a manner inconsistent with my duty as His Majesty's Representative in Ireland, and that they had advised His Majesty to signify his pleasure to me that I should return to England, placing the government of Ireland, for the present, in the hands of Lords Justices, and inclosing to me His Majesty's warrant, authorising me to constitute the Lord Primate, the Lord Chancellor, and the Commander of the Troops, to be His Majesty's Justices in my absence, or until His Majesty's further pleasure be signified.

In consequence of the Duke of Wellington's letter to me of the 28th December, informing me that he was sensible that a correspondence which had taken place between His Grace and me had left us in a relation towards each other which ought not to exist between the Lord Lieutenant and the King's Minister, and that his colleagues concurred in that opinion, and that having taken His Majesty's pleasure upon the subject, His Majesty had desired His Grace to inform me that he intended to relieve me from the government of Ireland, I informed his Grace, by my letter of the 30th December, that I would hold myself in readiness to obey His Majesty's commands the moment I should receive them.

It is, therefore, only necessary for me now to state, for the information of His Majesty's Government, that I have given the necessary directions for the appointment of Lords Justices, in obedience to His Majesty's commands, and that I shall forthwith repair to England.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, I feel equally with the noble Marquis who has just addressed you, the greatest pain upon finding myself under the necessity of discussing the subject which the noble Lord has brought under your Lordships' consideration. Indeed, I never felt so much pain upon any occasion as I experience at this moment. My Lords, I do think I might have been spared this pain.

It will be admitted, my Lords, I am sure, that during the whole course of a Session in which the policy of the Government of Ireland, and the whole state of Ireland, have been so often under consideration, in discussions in which I have frequently had occasion to address your Lordships, I have invariably avoided adverting to the government of the noble Marquis, or to any of his acts in the course of his administration in Ireland, as having at all influenced the determination of Her Majesty's Government in this country. Not only have I abstained from advertizing to the government of the noble Lord, but, upon the only occasion on which any serious charge was brought against the proceedings of the noble Marquis in his government of Ireland, I defended that government, and at the same time took upon His Majesty's servants in this country the responsibility for the acts of the noble Lord. Under these circumstances, considering all that has passed, I think we might have been spared the present discussion at this advanced period of the Session. My Lords, I must object to the production of the papers for copies of which the noble Marquis has moved. Parliament has no business to interfere with regard to the dismissal of any of His Majesty's servants from the government of the country, except in instances in which some material public injury has been thereby occasioned, or some considerable inconvenience has been felt; or except in cases where Parliament has found it necessary to interfere to obtain a change of Government. In such cases Parliament has interfered, and with advantage to the public service; otherwise it has not. I maintain this practice of non-interference to be wholesome and necessary; and that, excepting in the cases which I have described, Parliament never can interfere without great public injury and inconvenience. Indeed the course which the noble Marquis has been pursuing in moving for these documents, shows clearly the inconvenience that must inevitably ensue from discussions like the present.

The noble Marquis has moved for copies of one or two papers; but, in order to elucidate the meaning of the documents which he requires, he has been obliged to read extracts from a long course of correspondence between himself and members of His Majesty's Government in this country. Yet he has not read one half of that correspondence; and I must add, he has not read some parts which I think it was expedient that he should have read. I beg that your Lordships will consider the consequences of making such communications to this House and the public, and the serious inconvenience and injury which must result to the public from such communications. The noble Marquis has read some letters that passed between him and me, which referred to matter of a nature the most private and confidential that could possibly take place between a Lord Lieutenant of Ireland and a Minister of this country, namely, the sentiments and opinions of the Sovereign. The noble Lord says he has had His Majesty's permission to read the documents in question. I must say I understood differently, and that I have been authorised to say that His Majesty did not give such permission. If the noble Lord obtained such permission from His Majesty in any audience which His Majesty gave him, he must have advised His Majesty to give that permission, and he is responsible for the advice so given. Then see in what situation the noble Lord has placed the King. His Majesty acquiesced in the propriety of relieving the noble Marquis from his Government in Ireland, because he considered that the correspondence which had taken place between the noble Lord and myself was of such a nature that we could not possibly remain in office together, which correspondence the noble Lord declared that he considered himself authorised to publish. The noble Lord then advised His Majesty not only to allow him to publish the correspondence, but to read it in this House. I am certain that the House will see that the noble Lord must be mistaken, and that His Majesty could not have given his permission that the correspondence in question should be read in your Lordships' House. Your Lordships are now aware that during the whole course of the last autumn and winter I had it in contemplation to bring forward the measures recently passed into laws. It is also perfectly well known that my object from the commencement was to prevail on the person in these kingdoms the most interested in the matter to give his consent to their being brought forward. Without

Without that consent first obtained, the measures could not be brought forward. In the correspondence of the noble Marquis, as well as in his letter to Dr. Curtis, the noble Lord stated that he did not know my sentiments on the Catholic question. Now, with reference to this assertion, I beg leave to read a few words from the correspondence which I had with the noble Marquis, and which will show in the clearest manner that not only was he informed of my sentiments upon that subject, but that he has really no ground of complaint upon that score.

The passage I am about to read is from a letter addressed to me by the noble Marquis, and dated the 24th of September, 1828 :

‘I have known for a considerable time, and a recent communication has strongly corroborated the fact, that the Catholic Question may be adjusted at this moment with more facility (upon as good terms and with as little opposition) on the part both of the Bishops and of the Agitators, than at any other period. I have reason to feel confident that the Bishops would be satisfied with very fair terms, in respect to their nomination ; that they would only very feebly oppose the payment of the Catholic clergy ; and that even upon the much more difficult subject of the forty-shilling freeholders, there would only be little resistance.’

I must now trouble your Lordships with my answer to that letter :

‘MY DEAR LORD ANGLESEY,

‘London, September 28, 1828.

‘I have, equally with my colleagues, seen three letters which you have written to Mr. Peel, on the Roman Catholic Question. I have laid one of them before the King ; the other two he has not seen yet, as His Majesty has been unwell ; and no immediate necessity existed for laying them before him. But I will lay them before the King, as soon as he shall be sufficiently well for me to speak to him upon a subject of which he never hears, nor never thinks, without being disturbed by it. I have not written to you on this subject because I had nothing to tell you. As an individual Member of Parliament I never will support what is called Catholic Emancipation, till it shall be brought forward by the Government, as Government, in a shape to satisfy me that the arrangement proposed will secure the interests of the State. In these I include the Church of England. As the King’s servant, I, equally with all the servants whom His Majesty has had in his service since the year 1810, that is, the commencement of the unrestricted Regency, am bound not to act in this question as the King’s Minister. The late Mr. Canning embodied in a memorandum which I have seen, and which was communicated to the members of his Government, that which was before that time understood.

‘From this statement you will see, that the first step of all is to reconcile the King’s mind to an arrangement. Till that should be done, I should deceive myself, or the person to whom I should address myself, by talking about it at all.

‘I think, likewise, that I should give just ground for suspicion to His

Majesty, and his servants, and to the Protestants of the empire in general, with whom, after all, the difficulty of the question rests, if I were to discuss with the Roman Catholic clergy, or the demagogues of the Roman Catholic Association, a plan to be submitted by the Government to Parliament for the adjustment of this question.

‘You see the preliminary difficulties attending it; and I must add, that all those attending the question exist here. These are of a nature quite distinct from those existing in Ireland. Some are of opinion that the difficulties in Ireland will be got the better of by the adjustment of the question; I doubt it. But whether this will be the result or not, it is quite clear that nothing can be done now. That our affair now, and, indeed, in Ireland always, will be to preserve the peace, and to ensure the loyalty and good-will of all His Majesty’s subjects, by protecting the lives and properties of all.

‘Ever yours, &c.,

‘WELLINGTON.’

It was thus that I wrote to the noble Marquis, who, after this, could scarcely complain with justice of being in ignorance of my sentiments upon the Catholic Question. Subsequently to that letter, I had occasion to write to the noble Lord on the 11th of November, the letter which the noble Lord has read, respecting the agitation then prevailing in Ireland, and the increased difficulty thereby occasioned to the Government. But I beg, my Lords, before I go further, to describe to your Lordships the nature and constitution of the office of Lord Lieutenant of Ireland, and the nature of its relations with the Government here. The Lord Lieutenant of Ireland is an officer endowed with great and extensive powers; greater and more extensive, perhaps, than are entrusted to a subject by any other Sovereign in the world; but that officer acts under the instructions of His Majesty, conveyed to him through the medium of the responsible servants of the Crown in this country. It is their business to instruct the Lord Lieutenant as to his proceedings, and to animadvert on his conduct if they shall see him act improperly, or in a manner detrimental or inconvenient to the public service, or under certain circumstances of the times, even displeasing to His Majesty. It was peculiarly my duty to act as I did towards the noble Lord, under the circumstances of the time. It was impossible for me to feel the inconveniences resulting from the noble Lord’s conduct, and from the circumstances stated in my letter of the 11th of November, and not to draw the noble Lord’s attention to the subject. I beg that those who are disposed to blame me for writing these letters, will consider whether I should not have deserved censure if I had

not written at all. In these letters I do not accuse the Lord Lieutenant. I remonstrate with him freely, but in friendly terms, for conduct, which, under other circumstances, must have been indifferent, but of which I felt the inconvenience. I must say I was not very far wrong in the judgment I formed with respect to the two magistrates alluded to in my letters to the noble Lord; for, shortly afterwards, first one and then the other was struck out of the commission of the peace for conduct not much different from that of which I accused them.

After this correspondence, it was quite obvious to me, as I am sure it must be clear to all your Lordships who have heard the correspondence read, that it was utterly impossible that the noble Marquis and I could go on together in the situations which we mutually held. I might be wrong in my notions (and God knows, my Lords, I may be wrong as well as any body else); but be that as it might, it was impossible that we should continue to go on together any longer in the relative situation of Lord Lieutenant and Minister; there could be no confidential relation between him and me. Thus situated, I did not take upon myself the responsibility of removing the noble Lord: I waited till my colleagues should return to London; and I took the earliest opportunity of laying before them the correspondence, after their arrival. They were of the same opinion as myself. I did then take His Majesty's pleasure on the subject, and I communicated to the noble Marquis that he would be relieved from the Government of Ireland.

There are two points in the noble Marquis's statement to which I would more particularly advert. The noble Lord says, I did not attend His Majesty on the 28th of December, and that the order for his relief from the Irish Government was not occasioned by his letter to Dr. Curtis. It is perfectly true that I did not attend His Majesty on the 28th; it is also true that the noble Lord's relief from the Government of Ireland was not the consequence of his correspondence with Dr. Curtis; the relief of the noble Lord was the natural result of the previous correspondence that had taken place between the noble Lord and myself, which the noble Lord has stated not to have been confidential, but which was evidently upon that subject on which, above all others, Ministers were bound to communicate with most reserve. I did attend His Majesty on the 27th, and not on the 28th; and I did



take the King's pleasure as to the noble Lord's removal upon the 27th; and notified to him, on the following day (the 28th), that he would be relieved from the Government of Ireland. Having gone thus far into this part of the case, there I leave it. I regret extremely this discussion; it can do no good to the public, on the contrary, it must do injury and mischief; and I am thoroughly convinced the result will prove that the noble Marquis would have better reason to be satisfied with himself, if he had not brought the subject forward.

At the period alluded to (28th of December), the noble Lord was informed he would be relieved from the Government of Ireland. He received and acknowledged the receipt of the information on the 30th of December. He was told he would be informed thereafter what arrangement would be made for the Government; and it was intended to leave him in the Government till he could be relieved with convenience to His Majesty's service. We trusted to that declaration, in his Lordship's letter to me of the 14th of November, in which he states that 'His Majesty may possibly feel the expediency of making a change in the Government of Ireland; I therefore request that you will offer to His Majesty my humble and dutiful assurances, that in such an event it will be my most anxious wish to facilitate this measure, by meeting His Majesty's wishes in the manner the least embarrassing, both as to time, to manner, and to circumstances.' In the mean time, I had received from Dr. Curtis a letter dated December the 4th, to which I wrote an answer on the 11th, which Dr. Curtis thought proper to publish. I know it has been pretty generally said, that there never was such a letter as that which I am supposed to have answered. I certainly shall not follow the example of Dr. Curtis in the publication of private correspondence. However, here is the letter for such noble Lords as choose to read and satisfy themselves on the subject of its existence; but publish it I will not. To return: on the 30th of December, the noble Marquis received the letter apprizing him that he would be relieved. On the 1st of January there appeared in the Irish newspapers a letter from the noble Lord to Dr. Curtis, being a commentary on that which I had addressed to that gentleman on the 11th of December, in answer to his communication of the 4th. This letter of the noble Marquis to Dr. Curtis, commenting upon mine, is dated the 23rd of December, and is stated to have been

written on the day that my letter was communicated confidentially to his Lordship. But there is rather a curious circumstance attending this letter of the noble Lord's: it is founded on Dr. Curtis's confidential communication of my letter to the noble Marquis; and, strange to say, the very same day that Dr. Curtis communicated the letter to the Lord Lieutenant, confidentially, he published it in the Dublin newspapers.

Thus, then, this letter was written on the 23rd of December, and sent to Dr. Curtis on the 24th. The noble Lord received his letter, informing him that he would be relieved, on the 30th of December; and he published his letter to Dr. Curtis on the 1st of January, two days after he received the intimation that he would be relieved.

In observing upon this letter to Dr. Curtis, I must first remark upon it in relation to myself. The noble Lord repeats in it the assertion contained in his letter to me of the 14th of November, that he did not know, till he received Dr. Curtis's confidential communication, what my sentiments were respecting the Roman Catholic Question. The noble Lord likewise comments upon my opinion of the necessity of tranquillity previous to the discussion of any measure for Roman Catholic Relief.

Now, my Lords, I beg leave to call your Lordships' attention to the following paragraph, in a letter from the noble Lord to the Secretary of State, in which he recommends the adoption of the very course which I pointed out to Dr. Curtis, in my letter of the 11th, as the only one which could lead to the wished-for result:

‘ July 26th, 1828.

‘ If I should fortunately be enabled, by the advice and warnings I give, to keep this country in a quiet state for a little time longer; if the Association should cease to agitate, and there were to be anything like an appearance of moderation, I most seriously conjure you to signify an intention of taking the state of Ireland into consideration in the first days of the next Session of Parliament.’

Now, this letter clearly shows that the noble Marquis fully concurred in the opinion that a state of tranquillity ought to precede the discussion of the question. But this is not the only remarkable circumstance which the noble Marquis's correspondence suggested. The letter to Dr. Curtis, he says, he wrote privately and confidentially, and he tells your Lordships that he published it with a view to put the country, as far as he could, in a state of

tranquillity : now it is curious to see what the agitators themselves thought of the noble Marquis's letter. I will show the House what Mr. O'Connell thought of it. In one of his speeches he says, 'Lord Anglesey recommends to us constitutional, in contra-distinction to merely legal means of seeking redress, to be exercised by us in forwarding our cause. Now this is the only part of his Lordship's advice in this letter which we will be inclined to disobey ; for though a measure may be a constitutional one, still, if it be against the law, we will not admit it into our system of action.' So that the noble Marquis, by way of promoting tranquillity, published a letter of advice to these agitators, which they themselves would not obey ; which, in fact, they declined to follow, because they considered it to be too strong for them safely to adopt. But, he says his letter produced the most perfect quiet, yet he admits his advice was for continued agitation.

The Marquis of ANGLESEY admitted nothing of the kind : he did not mean to recommend agitation in the way in which the noble Duke seemed disposed to press it.

*THE DUKE OF WELLINGTON* said :

But here is the letter, the printed letter, in which are the words 'not to cease to agitate,' although it was known to everybody that this very agitation had been the cause of all the mischief in Ireland for the last ten years. In respect to agitation, if your Lordships advert to the noble Marquis's correspondence, you will see what he himself meant by it. Indeed, your Lordships can make the same discovery if you glance at the history of Ireland during the last ten years, where you will find that agitation really means something just short of rebellion ; that, and no other, is the exact meaning of the word. It is to place the country in that state in which its government is utterly impracticable, except by means of an overawing military force. Was that the state in which the noble Marquis wished to leave the Government for his successor ? If it were, how was that consistent with the assurance in his letter of the 14th of November last, that in case His Majesty should think proper to relieve him in the Government of Ireland, it would be his anxious wish to facilitate that measure, by meeting His Majesty's wishes in the manner the least embarrassing, both as to time, manner, and circumstances ?' I beg your Lordships to remember, that when the noble Marquis wrote

the letter to Dr. Curtis, of the 23rd of December, he was still in His Majesty's service.

My Lords, I beg you likewise to look at the noble Lord's own opinion of the nature of the agitation in Ireland, and of his own duties in consequence of that state of agitation; and see how far the advice contained in this letter to Dr. Curtis, of the 23rd of December, was consistent with those opinions as delivered in the noble Lord's letters, of which he has read you only extracts. Was it consistent with those opinions to recommend agitation and conduct which even the leading agitators declined to adopt as being too violent for them? Were such recommendations consistent with the assurances which the noble Lord had authorized me to give to His Majesty? But there is still another view which I request your Lordships to take of this subject, and that is, the consistency of these recommendations with the views and intentions of His Majesty's Ministers as known to the noble Lord.

The noble Marquis commenced his Administration by a regular discussion with the Ministers here, to decide whether it was proper or not to apply to Parliament, to revive or new model the law, for preventing the meetings of the Roman Catholic Association. The object of this discussion was to prevent agitation in Ireland. The decision was taken, in conformity with the advice of the noble Lord, not to continue the operation of that Bill.

The noble Lord next received directions, upon two occasions, to consult the law officers of the Crown, whether it was possible to proceed against the Association, or against individuals in the Association, under the common law or the existing Acts of Parliament? What was the object of these directions? To stop and prevent agitation. Was the noble Lord's letter to Dr. Curtis, of the 23rd of December, consistent with this object? The noble Lord then received directions to issue the Proclamation of the 1st of October, founded on his own representation of the state in which the country was, in consequence of agitation. Was the noble Lord's letter, of December, to Dr. Curtis, consistent with these directions, or with his own act in consequence? Then, again, after the Proclamation, orders were given for the prosecution of Mr. Lawless. Was the letter of the noble Lord consistent with these orders?

But, my Lords, it is not in individual instances only, but the whole tone and tenor of the correspondence of the Government

with the noble Lord showed that, on both sides, it was felt that the greatest evil was the state of agitation in which the country was kept by the Roman Catholic Association.

In justice to my Right Honorable friend the Secretary of State (Mr. Peel), I ought to read more copious extracts from the correspondence; but I will not fatigue your Lordships by doing so. Enough has been read to show your Lordships, that the object of the Government, as well as that of the Lord Lieutenant, up to this time, had been to prevent agitation. Yet, knowing these sentiments to be entertained by the Government, and entertaining them, as he did, himself, the noble Lord wrote that letter, having for its object to leave behind him, for his successor, a state of agitation which had never before existed.

My Lords, these were the circumstances which induced me to recommend to His Majesty, first, that the noble Lord should be relieved from his Government; and next, that he should be recalled. I do not know that I ever felt more pain in the performance of any public duty; but I felt that I had no other course to pursue on either occasion, without neglecting what was due to the King and to the country.

The Marquis of ANGLESEY remarked that the noble Duke had imputed to him that he had kept back letters.

*THE DUKE OF WELLINGTON:*

No, no.

The Marquis of ANGLESEY maintained that His Majesty's permission justified the course he had adopted in reading the correspondence.

*THE DUKE OF WELLINGTON said:*

I certainly, my Lords, was authorised to state that the noble Lord was not permitted to read the correspondence between him and me. I admit, however, that there might have been a mistake, and that the noble Lord might have inferred that he was so authorised.

The Marquis of ANGLESEY said that on the day but one after his arrival in town from Ireland, he had sought and obtained an audience of His Majesty, at which His Majesty's permission had been distinctly given.

Motion negatived without a division.

*May 14, 1829.*

UPPER CANADA.

Viscount GODERICH presented a petition from certain inhabitants of Upper Canada, complaining of the recent dismissal, by the Government, of Mr. Justice Willis, one of the judges in the colony, of the constitution of the Legislative Council, &c. In some of these complaints he concurred; on others he did not feel himself at liberty to offer any opinion.

*THE DUKE OF WELLINGTON* spoke in the following terms:

There is no part, my Lords, of the noble Lord's speech in which I more heartily concur than the last part; than in the view he takes of the importance of these colonies, and of the necessity of conciliating their good will by every measure which it may be possible on the part of Government and Parliament to adopt. However, my Lords, having seen this petition, having moreover had a copy of it in my hands for several days, which has been presented to His Majesty, I must say that I see little in the petition which can be adopted, or which can be carried into execution, either by the Government or by Parliament. Many of the measures suggested in the petition might be carried into execution by the Colonial Parliament itself; of others, I doubt the expediency and advantage, whether attempted to be carried into execution by the Government, the Parliament, or the Colonial legislature.

With respect to Mr. Justice Willis, my noble friend has stated only part of the case. Mr. Justice Willis having disapproved of the absence of the Chief Justice of the Court of King's Bench of Upper Canada, thought proper not only to protest against that absence, not only to say that it was improper, and to absent himself in consequence, but also publicly to state that all the proceedings of the Court which had taken place during the absence of the Chief Justice were, in consequence of such individual's absence, illegal. This led to his suspension first, and afterwards to his dismissal, by the Lieutenant-Governor. Mr. Justice Willis petitioned His Majesty to be replaced; his petition was laid before the Privy Council, by whom it was referred to a committee, who inquired into the matter, and the nature of which inquiry will be more particularly stated to your Lordships by my noble friend near me (Earl Bathurst). The result was, that his Majesty was pleased to approve altogether of the conduct of the Lieutenant-Governor in

dismissing Mr. Justice Willis. That is the first case of which the petitioners complain. But your Lordships will see that, unless these petitioners are disposed to find fault with the decision of the Privy Council, the proceedings were proper, and not at all deserving to be complained of.

The next subject adverted to, and which is in some degree connected with the complaint respecting Mr. Justice Willis, and referred to by my noble friend, is the desire of the petitioners that the advisers of the Lieutenant-Governor of Upper Canada should be responsible to the House of Assembly for the acts of the Government. My Lords, the persons who make this demand have forgotten altogether the objections to such a course of proceeding; they have forgotten that they are a distant colony situated on a foreign frontier, and that a principle which is suitable for the Government of this country might not be entirely suitable to them, under existing circumstances, and in their peculiar position. I beg your Lordships to recollect that if any case should arise for complaint, the inhabitants of this colony may petition his Majesty, and their complaint will come under a judicial inquiry before the Privy Council, which is, as your Lordships know, conducted upon the purest principles that govern any court of Justice. Under such circumstances, I do not believe that it would be expedient or just to render certain officers of this colony responsible to the House of Assembly; and I think that to give that House such a power would not do, although it might be very suitably applied to the servants of the Crown in this country in its relation to Parliament.

Another point referred to by the petitioners, and to which your Lordships' attention has been called by my noble friend, is the Legislative Council. I understand that very few landed proprietors resort to the capital at any season, and certainly not at the season when the Legislative Council meets for business. It is very inconvenient for them to come a great distance at that season of the year to attend the Legislative Council; and therefore it is necessary that the Council should be, in a great measure, composed of the servants of the Government, who are compelled to reside on the spot, otherwise great inconvenience would be the result. I admit that it is very desirable that the great landed proprietors should be introduced into the Council; and the last instructions sent out to the Government of Canada were, as far as

possible, to introduce the great landed proprietors into the Legislative Council, in order that this body should have that authority in the country which it was so desirable that it should possess. With respect to the Executive Council being principally composed of the members of the Legislative Council, it is perfectly true that it acts the part of a Privy Council, and that it advises the Government. In the same manner may members of this and the other House of Parliament advise the Crown as to those measures and bills, upon which they are afterwards called upon to decide as members of the legislature; but I do not know that any inconvenience has arisen from that mode of managing public affairs; and therefore I do not think that there is anything in this complaint of the petitioners deserving attention. I do not think that they have shown any instance of the inconvenience resulting from this mode of formation adopted in the Executive and Legislative Councils. The petitioners have, indeed, mentioned one instance in which the Lieutenant-Governor induced two members of the Legislative Council to vote for a measure which they were first disposed to vote against. But this was after the Executive Council had recommended the Governor to propose this measure to the Legislative Council: and such an event as that might have happened here as well as in any other country, without being considered as worthy of being brought forward as the subject of public complaint.

I beg to assure my noble friend that this petition has already received the attention of His Majesty's Government, and I do not think there is anything else in it which calls for further remark from me.

Petition withdrawn.

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*May 25, 1829.*

#### CORPORATION OF THE CITY OF LONDON.

Viscount MELVILLE having, on the 22nd instant, presented a petition from the Corporation of London, praying for the rescinding of an order recently made, by the Committee on the London Bridge Approaches Bill, for an account of the Corporation income and expenditure, with reference to the coal duty, and Lord DURHAM having opposed the rescinding of the order, and moved as an amendment, to hear counsel for the petition on the 25th:—counsel having been heard, and Viscount MELVILLE having contended that the accounts could not be demanded,



*THE DUKE OF WELLINGTON* said :

It is true, my Lords ; but if the noble Baron (Durham) had done me the honor to consult me before coming down to the House, your Lordships might, perhaps, have been saved all this trouble. I was not, when applied to, prepared to take any particular interest in the noble Baron's motion ; and I said, without examining it, that I should give it no opposition. Had the noble Baron, however, shown it to me before coming to the House, the result would probably have been different. I asked to see the motion : I thought there was no objection to it on the part of this House, and so I stated. I beg pardon of your Lordships ; but I found no objection to the motion on the part of his Majesty's Government ; and, probably, had I considered it incumbent on me to ascertain what it was proper for your Lordships to do, I should then have been obliged to oppose the production of the papers. I believe it is not usual for the House to inquire into the private property of any corporation. The question, however, now before your Lordships is, not what you are to do with the city of London, which does not refuse, but only states that it is not the practice to call for, such papers. What my noble friend (Viscount Melville) proposes to do, therefore, is to defer the discussion of the question, and to provide that the petition shall be taken into consideration on Tuesday, to which an amendment has been moved that counsel shall be heard on Monday. In my opinion it is the proper course of proceeding to take the petition into consideration on some future day. I am doubtful, as I am not very well versed in the practice of the House, whether counsel ought to be heard in this case, as it affects the proceedings and privileges of the House ; but the noble Lord opposite (Lauderdale) is better acquainted with the practice than I am. I believe, however, that it is not consistent with the usual proceedings of your Lordships to hear counsel on questions concerning your own privileges and practice. The most proper course appears to me to be that suggested by my noble friend, that the petition should be taken into consideration on a future day ; and whether that day be Monday or Tuesday will not make any difference. My noble friend will readily fix any day the House may think proper. I think the question itself of considerable importance, as it does not relate solely to the Bill before the House. In my opinion, I shall be able to show that the petitioners plead on principles which are not confined to this Bill, but which apply to

the private property of all corporations ; and your Lordships will probably then be disposed to abandon your interference.

The petition was then ordered to be further considered on the 25th instant.

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*May 25, 1829.*

Counsel having been heard in support of the petition of the Corporation of London,

Lord DURHAM urged that proceedings in Committee on the London Bridge Approaches Bill ought to be suspended until the order of the House for the production of the City accounts had been complied with.

The Marquis of LONDONDERRY thought that Government ought not to have allowed the city of London to carry this job of theirs through the House to its present stage in so private a manner.

*THE DUKE OF WELLINGTON* spoke in the following terms :

I have a few words, my Lords, to offer, more particularly in reference to what has fallen from my noble friend who has just sat down, as to the conduct of His Majesty's Government with regard to this measure, and as to their having allowed this Bill to be introduced into Parliament. There is no doubt that the question was submitted to His Majesty's servants, and that the Treasury took the subject into consideration. We were convinced, upon inquiry, that this measure was necessary, as there did not exist sufficient funds applicable to the purpose of opening the communications necessary for this bridge ; and under these circumstances this Bill was brought in. I would beg the House and my noble friend to recollect that there has been no concealment on the subject, that there has been no concealment on my part, and that when the coal trade was under consideration in this House, I did not enter into any treaty, or make any pledge in reference to this measure. The House will bear in mind that on two different occasions, when the question of the coal trade was discussed in this House, I stated that I would not consent to a reduction of the taxes upon coals, either in reference to that portion of these taxes which is received by His Majesty's Treasury, or that which goes to the city of London. I beg the House will recollect that such were the sentiments which I expressed upon these occasions, and I am sure that it will then acquit me of having entered into the consideration of the trade in coals, with a determination to conceal from the House what was my intention in

reference to this particular measure now before your Lordships. The fact is, that this Bill was brought forward in the other House of Parliament at the very moment that the subject of the coal trade was under discussion in this House. The other House was occupied with the consideration and discussion of this Bill for six weeks; they then passed this measure, after the fullest inquiry and the most complete examination into all its details; and it having come before us, we have referred it to a Committee up stairs. The question now is, Will your Lordships interfere and prevent the Committee up stairs from considering this Bill, which we have referred to them for consideration, and from coming to a decision upon it, because the noble Lord (Durham) says that these papers are necessary, in order to enable that Committee to come to a proper decision? I would ask your Lordships, whether that noble Lord has made out a case, to show that these papers are necessary in order to enable us to decide this question; and that it is our duty to put off its consideration until they be produced? Are your Lordships prepared to say that such a case has been made out by the noble Lord, and are you determined to decide with him for postponing this question? If your Lordships determine upon such a delay, I will tell you what will be the consequence of it. The consequence must be, that the bridge will be in the mean time completed, and there will not be any practicable approaches to it; that the bridge will be quite finished, and there will be no means of reaching it, even for foot passengers. That would be a circumstance, your Lordships will admit, which would not be creditable to the Government or to Parliament, and which, more particularly, would not be creditable to this House.

If, after this, your Lordships shall agree with the noble Lord, that these papers are so necessary that we ought to wait until they be produced, that the progress of this Bill should be delayed, that in the mean time the bridge should be allowed to be finished without having any approaches to it; if your Lordships determine upon such a course, because the noble Lord says that these papers are so necessary, though he has adduced no evidence to prove the fact, I can certainly have no objection to offer. I feel that I have done my duty in explaining the facts of the case, and putting the whole matter in a train of inquiry, and it rests with your Lordships to take that course, in respect of it, which you shall deem the best. The arguments of the noble Baron opposite (Durham),

and of my noble friend beside me (Londonderry), in reference to these papers, have been grounded upon the assumption that the city of London have declared that they have no funds to go on with, except the funds which shall be produced by this Bill. I beg pardon of the noble Lords, but I must state that the city of London declare no such thing, and that no such assertion is to be found in the preamble to this Bill. What the city do state is this : they say that the Bridge House Estate is not sufficient to carry into execution the proposed works, but they say not one word about their other funds, which belong to the city. The fact is, that there is a fund belonging to the city arising out of the 4*d*. duty upon coals, which according to the present decisions of Parliament, and under Acts of Parliament at present in existence, belongs to the city of London, and is applicable to the Orphans' Fund for ever. That fund has been made applicable to various improvements in the city, and they now wish, under this Bill, to make it applicable to the erection of these approaches to London Bridge.

There is another fund which has been adverted to in these discussions, amounting to 41,500*l*. a year, and which has been hitherto applied to the Orphans' Fund. That fund belongs to the city, under an Act of Parliament, by which it was originally created ; and it was continued by other Acts of Parliament, first, for the paying off the interest, and then the principal of the debt due upon the Orphans' Fund ; and after both the principal and interest of that debt should thus have been paid off, this fund was to be applied to defray the expenses attendant upon various public works in the city of London. By accounts upon your Lordships' table at present, and which shall be laid before the Committee up stairs, it will be seen that this fund has been so applied ; and that, after discharging the debt due upon the Orphans' Fund, it has been appropriated to various improvements and public works in the city of London. Under all these circumstances, the question will come fairly before the Committee (where, I trust, your Lordships will leave it), whether or not the approaches should be made ; next, whether it is necessary to lay on this tax, or whether any other more eligible mode can be devised for paying for these works ; and lastly, whether the mode pointed out in the Bill is the proper mode for paying for these works, and carrying them into execution ? That is the question to be decided upon by the

Committee; and as we have referred the Bill to them, I think they ought to be allowed to decide upon the whole of the case.

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*May 26, 1829.*

### THE CURRENCY QUESTION.

The Earl of CARNARVON presented a petition from Birmingham, complaining of distress, which he concurred with the petitioners was attributable mainly to the alterations which had been effected in the Currency by the Bills of 1819 and 1826.

*THE DUKE OF WELLINGTON* spoke in the following terms:

I am very thankful to the noble Earl for not expecting that I should follow him through all the topics which he has discussed in presenting this petition. I am sure your Lordships could not expect from me, that I could discuss, on the moment, subjects of so much importance and variety as those which the noble Lord has introduced in addressing the House. I am not prepared to do so; and I am convinced that your Lordships do not expect me to address you on questions of so much interest, unless I were provided with these documents, and with that information, which would be necessary to render my observations intelligible, if I were to enter into a detailed examination of the speech of the noble Lord. But the noble Lord has introduced topics so interesting, topics so important to the country, that I hope the House will allow me to occupy a few moments of its time in adverting to some of them.

The noble Lord has, in discussing the state of the country, and particularly the distress under which it labours at present, adverted to different remedies, none of which he formally recommends, except an alteration in the state of the currency. The noble Lord admits, at least he did so, if I correctly understood him, that it is impossible now to revert to the state of things which existed in 1819. I was, with other noble Lords, employed by this House as a member of the Committee which recommended the resumption of cash payments in 1819, and I must do that Committee the justice to say, that the noble Lord is entirely mistaken, if he supposes that they did not enter most anxiously into all those subjects to which the noble Lord alluded. My Lords, there was not one of these subjects left unconsidered by that Committee, and

they did not adopt that measure, which they finally recommended, without due deliberation, and without feeling the utmost anxiety to do justice to the public, and to secure the prosperity of the country. The noble Lord, I must observe, is greatly mistaken, if he believes that the debt was contracted in a depreciated currency ; but, even if it had been so contracted, still good faith requires that the debt should be paid in the existing currency of the State. Now, the fact is, notwithstanding all that has been said by the noble Lord, that the restoration of the currency has not had that effect in producing the distress of the country which is assumed by the noble Lord. The restoration of the currency, my Lords, has, in truth, but little to do with the distress of the country.

Since the restoration of the currency, the revenue has risen to the amount which has been stated to your Lordships, notwithstanding the repeal of taxes to the amount of 27,000,000*l.* since 1814. The fact is, that at the present moment the revenue produces, in real currency, much more than it produced when the war was terminated. Is not that circumstance alone, I ask your Lordships, a proof of the increasing prosperity of the country ? But, my Lords, I do not rest my argument on that fact only. Notwithstanding that there is, at present, much distress, still, on the last year there was an increase of produce in every branch of manufactures, in every branch of industry, beyond what was apparent in the three preceding years. Under these circumstances, your Lordships must ascribe the distress of the country to something else rather than to the alteration of the currency. My opinion is, and the noble Lord has well pointed out the fact, that the people, during the lengthened war which existed previously to the peace of 1815, during that period when there was a most enormous expenditure, acquired habits which they cannot readily throw aside. During that time, any man, of whatever description of credit, could obtain money, or the semblance of money, to carry on any speculation. The people then employed a fictitious wealth. They proceeded on a system which could not be continued without ruining and destroying the country ; and that system having been destroyed, that fictitious wealth having been removed, they cannot immediately come down to those quiet and sober habits which are required from them under that state of things now prevailing in the empire. That, my Lords, is the real cause of the distress under which they are at present suffering ; besides, your Lordships will recollect that

the population of the country has enormously increased. It should also be taken into calculation that the power of production, by machinery, has likewise increased in an incalculable degree. As much, my Lords, can now be produced in one year as formerly could be in five; and the produce of one year now amounts to more than can be taken off our hands in a year and a half, or even in two years. Distress, therefore, has occurred, notwithstanding that the utmost exertions have been made to repel it, and notwithstanding the great and general prosperity of trade throughout the world.

My Lords, the plain fact is, that, owing to the alternations of trade, a great demand at one time and a want of demand at another, the manufacturers and those engaged in commercial pursuits must sustain considerable distress at different periods. The noble Earl has recommended, as a remedy, that Government should go back to the system of the circulation of one-pound notes. Now, my Lords, with respect to one-pound bank notes, it will be well to recollect what has been the proceeding of Parliament on that subject. In 1826 Parliament, having seen the facility with which speculations could be undertaken by persons possessing no capital, in consequence of the circulation of those one-pound bank notes, looking to the evils which resulted from those speculations, and finding that a great number of banks in the country had failed by reason of such speculations, thought proper to pass a law to prevent the circulation of this species of paper after the lapse of three years.

The noble Lord has said that this measure of Parliament occasioned the failure of a great number of country bankers. But I beg the noble Lord's pardon: he has not stated the fact correctly. Most of the banks which, about that period, failed, it ought to be recollected, broke previously to the meeting of Parliament. The fact is, that it was the breaking of the banks which occasioned the measure, and not the measure the breaking of the banks. But we have now accomplished the measure adopted in 1826; that measure is now carried into execution; the currency of the country is now sufficient; bank-notes, five pounds and above five pounds in value, are in circulation; and I will assert this fact, that there is at present more of what I may call state currency in circulation, more notes of the Bank of England and sovereigns, a greater quantity of circulating medium of those two denominations, than

there has been at any former period before the late war, or before the Bank Restriction Act was passed. I beg leave, my Lords, to ask, what want is there of an additional circulation, when the circulation is at present greater than it ever was? Is it necessary to have a more extended circulation, to afford the means of procuring loans of money to those who have no capital and no credit? I contend that this is a state of things that ought not to exist in any country. Persons who really possess credit can raise money at the present moment with every facility that is reasonable or proper. But, undoubtedly, those who have no credit are deprived of the facilities for borrowing money which they formerly enjoyed, because there is no longer a large class of persons dealing in one-pound notes to assist them in carrying on their speculations. This is the real state of the case. It was this situation of affairs that gave rise, and justly gave rise, to the measure of 1826, a measure which I trust that Parliament will persevere in, for the purpose of placing the country in a proper state.

The noble Lord has said truly that nothing is so desirable as to see the country carrying on its mercantile transactions with a paper currency founded on, and supported by, a metallic basis. Now, your Lordships must be aware that that is exactly the sort of currency which the country has got at present. And in proportion as the country goes on conquering its difficulties, the existence of that currency still being continued, we shall see prosperity daily revive, and we shall find mercantile transactions carried on as they ought to be, without any mixture of those ruinous speculations to which so much of the prevailing distress must be attributed. But, my Lords, the noble Lord, in tracing out the sources of this distress, has omitted one of the great causes of it. He has not adverted to the immense loss of capital which has been sustained by this country, during the last six or eight years, in consequence of loans to foreign powers, of which neither principal nor interest has been paid, or ever will, in my opinion, be paid. The noble Lord has not adverted to the effect which that loss of capital must have produced, with respect to the employment of industry, in all parts of the country. In the next place, the noble Lord has not adverted to the effect which those loans must have had on the trade and manufactures of the country, in consequence of the glut in foreign markets, occasioned by the forced exportation of goods on account of such transactions. In most instances, my



Lords, no returns were made on account of those goods, and, even when returns were made, they were of the most unsatisfactory description. The noble Lord has not adverted to the fact that these returns, when any were received, came home in the shape of interest, and did not, of course, require or demand any export from this country. Surely all these things should be considered when the noble Lord speaks of the distress the country is labouring under. That distress has fallen not only on the manufacturing and commercial interests, but also on those who have encouraged, and embarked in, the various schemes and speculations which have done the country so much mischief. My Lords, I do not mean to follow the noble Lord much further. The noble Lord has requested of me to give my attention to those subjects during the recess. It is my duty to do so; and your Lordships may rely on it that, if I can devise any mode for the relief of His Majesty's subjects, with respect to the prevailing distress, or any other evil, I shall immediately come down to Parliament, state my views openly, and ask for the aid, advice, and assistance of the Legislature in carrying my views into effect.

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*June 5, 1829.*

### THE ANATOMY BILL.

Lord CALTHORPE having moved the Order of the Day for the second reading of the Anatomy Bill,

The Archbishop of CANTERBURY would not object to the Bill's proceeding to a second reading, but submitted that it should after that stage stand over till the next Session.

Lord CALTHORPE, if such was the general wish, would agree to this postponement.

The Earl of HAREWOOD referred to the late *Burkings* in Edinburgh.

*THE DUKE OF WELLINGTON* said:

I confess, my Lords, I am glad that the noble Lord has consented, as I understand he has, to proceed no further with the Bill this year. Allow me, however, my Lords, to say that I approve so strongly of the object which the noble Lord has in view, and of the principle on which the noble Lord professes to proceed, that, if the measure had come under discussion, it was my full intention to have supported the second reading, and to have done every

thing in my power to amend it in the Committee. The reason why I am glad that the noble Lord has consented to postpone the Bill is, that I was aware of the opposition which it was likely to meet with; of the quarter from which that opposition would proceed; and, knowing also the influence which such opposition was likely to have upon the opinions of the country, I could not help feeling how desirable it was to prevent such effects from accompanying the measure. I am delighted, therefore, that the noble Lord has consented to postpone it.

Although I cannot pretend to take upon myself the responsibility of introducing a measure on the subject in another Session of Parliament, yet I shall willingly co-operate with any noble Lord who may think proper to bring forward a measure, founded even upon the principles of this Bill, in order to get rid of the horrible evils of the existing system. My Lords, I will not go into a description of those evils, or allude to the persons upon whom they particularly fall, or dwell upon the benefits to be derived from encouragement to science, because I feel that it will be impossible for me not to do injury to the subject after what has been said by the noble Earl opposite, and by the noble Lord who brought in the Bill. But, my Lords, unless you increase the number of subjects for dissection, you will do nothing. This, then, is the first thing to be done; and the next is to do it in the way which is least objectionable to the feelings and the prejudices of the country.

In answer, my Lords, to the noble Earl on the cross-bench (Harewood), who has alluded to what has occurred in Edinburgh, I would observe, that two persons were tried for the horrible offences perpetrated in that city, one of whom was acquitted, and the other convicted and executed. It appeared from the proceedings that a third person had been implicated in those horrible transactions; and it was necessary to make use of that third person for the trial of the two, and the conviction of the one who was executed. I do not know that anything more could have been done on the occasion; and I am thoroughly convinced that no persons were more anxious than the law officers of the Crown in Edinburgh to push the inquiry as far as it could be pushed, and to carry the law into execution to its full extent. It appeared, however, that, consistently with the laws and constitution of the country, no prosecution could be commenced against the third party.

Bill read a second time, and postponed accordingly.

## METROPOLIS POLICE BILL.

*THE DUKE OF WELLINGTON:*

My Lords, I rise to move that this Bill be committed. There can be no doubt that no branch connected with the administration of public justice in this country is so defective as the police. This is clearly proved by the great increase of crime in the metropolis. My Lords, it appears from the returns that in the last six years the total number of criminals committed for various offences has increased in the ratio of two-fifths. The commitments in London and Middlesex in 1822 were 2539; in 1825, 2902; in 1828, 3516. This proportion does not arise from the prevalence of any particular crime, but prevails in almost every species of crime perpetrated in the metropolis and its neighbouring districts during the same period. It is perfectly clear to all who have considered the subject, that this rapid increase of crime arises solely from the deficiency of the police. Your Lordships must know that the state of the watch in most of the parishes of the metropolis is most inefficient; indeed, nothing can possibly be more so. Yet though the state of the watch is thus confessedly inefficient, it has been well ascertained, from events which have been recently occurred, that the watch is exceedingly expensive to parishes, almost as expensive, I may say, as it is inefficient. It is, in fact, quite evident that the present system requires extensive alteration; for although crimes of all descriptions occur almost every night in various parishes of the metropolis, yet no effectual measures are taken to prevent the recurrence of such outrages. Indeed, a list might be formed of parishes in the neighbourhood of the metropolis where there is absolutely no protection for person or property. In the metropolis itself, in Westminster, where there is a watch in every parish, the system is so badly arranged that there is no co-operating communication between the watchmen of one parish and those of another; and even in the same parish there are, in many cases, different watch establishments governed by different local authorities. In one parish, St. Pancras, there are no fewer than eighteen different establishments, formed under different Acts of Parliament, not one of which has any communication with another. The consequence is, that the watchmen of one district are content with driving thieves from their own particular neighborhood into the adjoining district. Now, my Lords, I have no doubt whatever in my mind

that it is perfectly practicable to prevent, in a very great degree, the commission of crimes by a new regulation of the police. Many of your Lordships must recollect what used to take place on the high roads in the neighborhood of this metropolis some years ago. Scarcely a carriage could pass without being robbed ; and frequently the passengers were obliged to give battle to the highwaymen who infested the roads. Now, such a thing as a robbery committed by a man mounted on horseback is never heard of. To what is this change owing ? Simply to an improvement in the police system ; and by other improvements I am quite satisfied that it will be easy to establish, even in the city of London itself, a watch so framed as to prevent, in a very large degree, the commission of crime and outrage. There is another point to which I wish to call your Lordships' attention, and that is, the desire which so generally prevails throughout the country to diminish the number of capital punishments ; and, indeed, to soften the severity of punishment in all cases. Now, it seems to me, my Lords, that the best way of avoiding the infliction of punishment, is to prevent the growth of crime ; and we shall, I think, do much to prevent the growth of crime and the consequent necessity of punishment, by placing an efficient police in the hands of the magistrate. The measure before your Lordships is intended to effect this object : it forms a new police-office for the metropolis and the surrounding districts, which, under the powers of the proposed Bill, will have the whole direction of the new police, two justices being appointed to carry on the business of the office, under the Secretary of State for the Home Department. My Lords, the provisions of the Bill may, if circumstances render it necessary, be extended to places in the counties of Middlesex, Surrey, Hertford, Sussex, and Kent, not enumerated in the schedule, to the distance of twelve miles from Charing-cross. The justices to be appointed will have no power beyond what is necessary to protect the peace of the country, and to carry this measure into effect. It is proposed by the Bill that a body of constables shall be raised, who will be placed under the special protection of this office. The expenses will be defrayed by a rate, levied in the same way as the Poor-rates, but not to exceed 8*d.* in the pound.

Bill read a second time, and committed.

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*June 19, 1829.*

### RELATIONS WITH PORTUGAL.

The Earl of ABERDEEN having laid on the table certain papers explanatory of our relations with Portugal,

The Marquis of CLANRICARDE expressed his opinion that this country had not taken efficient measures for vindicating the freedom of the Morea.

Lord HOLLAND complained that the information afforded by the Government was altogether jejune and meagre. He considered that the Government had manifested great inefficiency both with regard to the promised pacification of Greece, and with regard to the settlement of affairs in Portugal; the plea of non-interference set up by Ministers as an excuse for their conduct in relation to Portugal was simply absurd: the whole history of the transactions of this country with Portugal was one of interference. The Government was bound to impede the retention of the Crown by Don Miguel, as opposed alike to the interests of Portugal and of this country. As to the affair of Terceira, it was a gross violation of the law of nations.

#### *THE DUKE OF WELLINGTON:*

The noble Lord complains that his Majesty's Government have not laid on your Lordships' table sufficient information respecting the foreign transactions of the country. Now, I believe there exists no instance whatever, except in cases where the Government has found it necessary to come to Parliament for a vote on the subject of foreign affairs, in which Government has deemed it necessary to lay information on such subjects before Parliament. I believe the usual practice is, that when the minister wishes to have the opinion of Parliament on any transaction, he comes down with information on the particular subject before he calls for the opinion; but I apprehend it is not usual to lay information before the House before the opinion of Parliament is called for, or until such information is specifically moved for, on Parliamentary grounds, by some noble Lord not connected with the Government. I say this, my Lords, because I have been anxiously desirous that the House should have a knowledge of this Terceira transaction; and I have been wishing, ever since the commencement of the session, that the noble Baron would bring forward that particular subject. It has been under the influence of this wish, my Lords, that I have abstained from myself noticing the subject to your Lordships; I have known that the motives of his Majesty's Government have been calumniated abroad, but I felt that calumny did not afford ground for a Minister to come down to Parliament with information on the subject until he also intended to call for the opinion of Parliament. The noble Lord has said that

Government ought, ere now, to have brought information forward ; but I beg your Lordships to recollect that the transactions to which the information on the table refers, are still pending. Portugal remains, unfortunately, in the situation in which we found her two years ago. Information, I repeat, cannot be entirely laid on the table until these perorations are completed. The noble Lord has ridiculed the idea of neutrality and non-interference with regard to Portugal ; but I defy the noble Lord to show a single instance at any time within the last century of interference on the part of this country with the internal affairs of Portugal by arms. If the noble Lord will refer to the transactions of the last ten years, for instance, during which there have been great internal commotions in Portugal and her colonies, he will find that this country has not interfered in any one single case. Did this country interfere in the case of the rebellion at Brazil? No, my Lords, it did not. Did we interfere in the case of the subversion of the monarchy in the time of Don John? No, my Lords, we did not. Did we interfere in the case of the internal commotions of 1826? No, my Lords, we did not. In the latter case I may more especially remark, the British officer was emphatically ordered to abstain from all interference in the internal affairs of the country. He was directed to oppose foreign invasion, and not to interfere in the internal affairs of the country, except for the protection of the persons of the Royal family.

Lord HOLLAND : What is that but interference ?

*THE DUKE OF WELLINGTON :*

Is that the interference, then, of which the noble Lord talks? Does he compare the protection of the persons of the Royal family with an interference for the purpose of changing a ministry, and creating a revolution in the country? I am sure the noble Lord will admit that the two cases cannot be compared. If the noble Lord will look to the instructions given to the officer in Portugal, he will find that that officer was instructed to interfere in case of foreign invasion, but on no other account, except to protect the person of the Sovereign. So far with respect to interference. But the noble Lord has said that the whole Portuguese nation was against the reigning Sovereign. On that point, I beg leave to give the noble Lord the most decided contradiction.

Lord HOLLAND : I never said so.


*THE DUKE OF WELLINGTON:*

I beg the noble Lord's pardon. I understood the noble Lord to say so; and, did he say so, I could contradict him on the authority of the Marquis of Palmella himself, who would, if interrogated, state to your Lordships that the whole country is against those who are most capable of overturning the monarchy, and in favor of Don Miguel; and it was precisely, therefore, that they felt it would be of no use to maintain a military contest in a country, the whole population of which was in favor of that Prince against whom they were contending. I am, then, quite authorised to contradict the noble Lord when he says, or should he say, that the whole country is against Don Miguel. The noble Lord has said that we ought to interfere to force upon the Portuguese a Sovereign against their wishes. I believe this is not the doctrine which the noble Lord usually advocates in this House; and certainly it is not a doctrine which I should recommend this country to follow. The gentlemen who were in favor of Donna Maria quitted Portugal when they found the country against them, and came to seek an asylum in England. One would naturally have supposed that, coming to seek an asylum here, they would have conducted themselves as individuals, and that we should have had every reason to be satisfied with their conduct; but we soon found that they were here as a body of troops: they were receiving pay as a body of troops. They had their officers with them; and, moreover, other troops were expected to come and join them from Germany; and we knew likewise that the object these troops had in view, was to carry an expedition against the Azores, part of the kingdom of Portugal. We were told that we were expected to give them a convoy, in order that they might arrive in safety at their destination. Now, I should not have done my duty by this country if I had not protested against any such expedition. Finding that arms, by one of the grossest frauds that any diplomatic servant had ever been guilty of, had been sent, notwithstanding the vigilance of my noble friend near me (the Earl of Aberdeen), to Terceira, we desired those troops collected at Plymouth to separate, and to go in certain numbers into different villages of the country; the officers to be separated from the men, all of them to conduct themselves in their new situations as individuals, instead of acting as troops. Was that an unreasonable request for the Government of this country to make? Had we not a right to expect that they

would willingly carry this direction into execution? They did no such thing; after a variety of propositions, which will be found contained in the papers on the table, they, under false pretences, embarked with papers for Rio de Janeiro, and set sail for Portugal; set sail, my Lords, having, at the same time, positive information from this Government that they would not be allowed to land at Terceira if they should make the attempt. The noble Lord has said that, admitting all this to be true, still this was a most horrible act; and that by the law of nations we had no right to prevent these persons from landing in the island. Now, my Lords, I am informed, on the contrary, that by the law of nations these persons had violated the laws of nations by organizing in this country an attack against the dominion of a power with which we were not only at peace, but with which we were at that very time engaged by a treaty. However, my Lords, these persons resorted to every subterfuge, fraud, and artifice, which ingenuity could suggest; and at last they sailed, with a certainty that measures would be taken to prevent their landing at Terceira. Now, as great pains have been taken to disseminate falsehoods on this subject throughout Europe, it was natural that my colleagues and myself should be anxious that a discussion on the question should take place, in order that those calumnies might be refuted, as, my Lords, I trust, after this day, they will be considered to be refuted. The next point to which the noble Lord has adverted, is the state of our relations with respect to the affairs of Greece. On this subject I can only say, that they are in the same situation now as that in which they were placed last session. The treaty is not yet executed; and for that reason we are not able to lay on the table any papers relating to transactions that have taken place, and which are still in progress, for the purpose of carrying the treaty into effect. I will, however, say that we have done everything in our power to execute the treaty, not only in spirit, but to the very letter. Now, with respect to the facts which the noble Lord supposes to have been mentioned in his Majesty's speech, the noble Lord's recollection has entirely failed him; for the noble Lord represents it to have been said in that speech, that the ambassadors would not be withdrawn from Constantinople; whereas the fact is, that the ambassadors had been withdrawn before the session in which that speech was delivered had commenced. We had, indeed, stated that we hoped no war would arise; and although, contrary to that



hope, war did arise, yet it did not arise out of the treaty, but from another and a different cause. Could we have known what was going on at St. Petersburg while these speeches were being made in this House, we of course would not have held out such expectations; but at the time we did not positively know that there existed an intention on the part of Russia to declare war. The noble Lord next found fault with the expression of my noble friend, that we had been enabled to carry on the treaty in consequence of the Emperor of Russia having waived his belligerent rights. Now, it is impossible for us to explain at present how that happened: all that I ask is, that noble Lords will suspend their judgment until Ministers come for the approbation of Parliament to measures which may arise out of the execution of the treaty; and that, in the meantime, full credit will be given to the Government for acting fairly, and for being careful to do nothing inconsistent with the honor and character of the country in the execution of the treaty. The noble Marquis appears to think that we have been backward in taking measures for depriving Turkey of the Morea. If the noble Lord will look at all the circumstances connected with the transaction, he will see that although the blockade did not do everything, yet it produced this effect, namely, that the Pacha of Egypt agreed to remove his force from the Morea. In pursuance of this agreement, my Lords, a very large portion of the troops were removed, though some, it is quite true, continued to occupy the fortresses of the Morea. Now that these troops are removed, I believe it may be fairly stated that England has had as great a share in the removal of them as any other nation. With respect to the negotiations at the Brazils, my Lords, they are still in progress. As soon as they are concluded, there will be no indisposition to communicate to Parliament the fullest information to elucidate the transactions of Government in that quarter. We have been reproached, among other things, for attempting to bring about a marriage between Don Miguel and Donna Maria. What we felt on that subject was, a most anxious desire to reconcile the differences between the contending members of the House of Braganza. We saw no chance of effecting this object without a compromise between the rights of the two parties—between, on the one hand, the right of succession, which has always been recognised in Europe; and, on the other hand, the right which was created by votes of the Cortes of Portugal. My Lords, I conceive



we should have been wanting in our duty had we not endeavoured to conciliate these differences ; and this marriage having been proposed by the father of the Queen, it appeared to us that it would have been very indelicate for this Government to have refused their aid towards making the adjustment proposed on the part of the Sovereign, who was willing so far to abandon his claims, and to consent to these means of settling the differences between himself and his brother. If that consent should be withdrawn, or if there should be any other reasons against the marriage, the Government of this country would be the last to press the marriage, as, my Lords, they would have been the last to urge it if the consent to which I have just referred, had not been first given. I have to observe also, that it is not true that Don Miguel was brought to Portugal, or that he was made Regent on the suggestion of this country and of Austria. The proposition came from Brazil to Vienna. It is true, indeed, that our Ambassadors were called upon to be present at the conferences which took place with reference to the journey of Don Miguel to Portugal, and to the measures which Don Miguel was to pursue when he arrived there ; but it is not true that we had anything else to do with the matter. I will not trouble your Lordships any further. I think I have said sufficient to prove to your Lordships that the Government cannot be justly blamed for not having given this information at an earlier period ; that in the affair of Terceira, and in maintaining a strict neutrality, we have followed the course which has been pursued before, and that in taking that line of conduct we have done what it was our duty to do.

The papers were ordered to lie on the table.

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[FOURTH SESSION OF THE EIGHTH IMPERIAL PARLIAMENT.]

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*February 4, 1830.*

### THE ADDRESS TO THE THRONE.

His Majesty's Speech from the Throne having been read,  
The Duke of Buccleuch moved the Address in reply.

The Earl of Carnarvon complained that the Government manifested a cruel indifference to the distresses of the country, and had permitted the

honor of England to be compromised and her glory tarnished by their conduct towards the brave and loyal men who had endeavoured to land at Terceira to aid the young Queen of Portugal.

*THE DUKE OF WELLINGTON* spoke in the following terms :

If, my Lords, I could entertain any doubt as to the propriety of the determination which I had formed not to refer to those points of the motion of my noble friend near me, relative to foreign affairs, in answer to noble Lords opposite—I say, my Lords, if I had ever harboured any such doubts, they would be entirely removed by the latter parts of the speech of the noble Earl (Carnarvon) who has just sat down. The noble Earl, instead of referring to those parts in His Majesty's Speech, and in the Address of my noble friend, which have relation to the transactions of the present year, has found it necessary to refer to the history of the last two years, in order to find ground of blame against His Majesty's Government. In the very last Session of Parliament I declared my earnest anxiety that your Lordships would be pleased to discuss the very question which the noble Earl has taken advantage of this night's discussion to introduce to your consideration—taken advantage of to introduce, without notice to any one concerned, or opportunity given them to consult the documents, that we might see whether the noble Earl quoted them correctly, or whether any others were necessary to the elucidation of those transactions to which he referred. It was not to those transactions that the noble Earl addressed himself, but to certain papers for which he had upon some former occasion moved ; and to-night, upon the occasion of considering an Address in answer to the Speech from the Throne, he loses sight of all the topics of that Speech and Address, and refers to other transactions, upon which no information has yet been given to the House, or at least but very partial information, and charges Government with certain things—where he found them, God only knows—most certainly not in the despatches which have been laid before this House, or which have reached the public offices. I say, my Lords, that there was no such communication as that the noble Earl refers to. It was desired by Don Miguel that the British troops should continue in Portugal, but the proposal was negatived by the British Government ; and it is not true that any such proposition was made by any individual or set of individuals, on the part of this Government, that I ever heard of. But the noble Earl considers that to

us is attributable the failure of the insurrection of Oporto. Surely not, my Lords ; we had nothing to do with it. The truth is, that the insurrectionists of Oporto had all the strength of troops, abundance of ammunition, and all the muniments of war necessary to carry their points, and they were joined by the very officers who (the noble Earl says) were absent, and who, if present, would have obtained all the ends of the expedition ; but they withdrew from Portugal, they quitted the ship which carried them, they left the country, because they saw the whole country was against them. That was the fact, and it appeared upon the face of the correspondence. But not only has the noble Earl referred to transactions for which there are no documents, but also to others, of which the documents are before your Lordships, and to which he might as well have given notice of his intention of referring to-night. I say, my Lords, that we were neutral in the contest between Don Miguel and his niece or brother ; that we were neutral in the civil war of Portugal. The neutrality was never violated by us. We were bound in commercial relations with Portugal, bound by a commercial treaty made before the time that he usurped the government of Portugal, and under which we had rights to maintain. Being so situated, could we suffer an army to be organised at Plymouth for the purpose of invading Portugal, the Azores, Terceira, or any other place within his dominions ? Don Miguel might be an usurper, or he might not ; that is not a question which we had a right to settle by appeal to such arguments as would show a disposition to violate the strict neutrality which it was our duty to observe in the contest. The noble Earl talks of the cruelty of that transaction at Terceira, and regrets that blood has been spilled. I regret it too. I believe that one man was killed, though the evidence on that point is not so clear as the noble Earl would make it appear. The fact has not been proved. But this was not our affair : we did no more than was required to keep His Majesty's neutrality, and we were fully justified by the laws of nations, and by that treaty, in taking those measures. The noble Earl has also adverted to the correspondence having been carried on through the person who fills the situation which I have the honor to hold, upon that occasion, as if I had taken upon myself the duties of my noble friend (Lord Aberdeen). But if the noble Earl would quote accurately that correspondence, he would see the reason why it devolved upon me, why my noble

Hatti-scheriff, or manifesto, or whatever it was, by the circumstance of my coming into power. Now, my noble friend may be well informed upon this subject; but if he consulted with the sources of his information a little more closely, he would find that the manifesto was published before the Parliament met, or I was in office. The offence, therefore, was not in anything done here, or in the King's Speech, for that was sent forth some time before, the King's Speech being delivered on the 29th of January. The truth is, though it was not published, that the Hatti-scheriff was delivered to the Grand Signor long before the Ministers left Constantinople. Now, to charge me in this way with that with which I have nothing to do, is what, I must say, is something like being 'too bad.' The noble Lord alludes also to Navarino, and asks why we did not blockade the Dardanelles, and why other consequences did not follow with which I have just as much to do as I have with the Hatti-scheriff. The order was given by the preceding Government, and they acted very properly, to show their determination to carry into effect the Treaty of the 27th July. I have followed their example, and have not advised the blockade of the Dardanelles, but accommodated myself to circumstances. Our principle was, to confine hostilities to the circumstances which rendered them necessary. I do not mean to reproach the noble Viscount for the measures which he has taken, but I will say, on the part of the present Government, that they have not forfeited the confidence of the country, and that they could not, or ought not, to forfeit it by measures of which others were the authors. The noble Baron has brought a variety of charges against the Government, into the details of which it is impossible for me to enter without laying papers before the House of which they are not now in possession. This much, however, I will say, that there is not one of the acts alluded to by the noble Lord which I could not justify in the most satisfactory manner, if brought before your Lordships in a tangible shape. But the noble Baron has reproached us on account of the Russian war. [Lord *Holland*.—No reproach on account of the war itself.] Well then, on account of circumstances that arose out of the war. Again, I would beg to remind him of the importance of facts and dates. The Ambassadors of the three Allied Powers retired from Constantinople in December, and I did not come into office until the January following. From the time that I came into office I omitted no

‘ That, in considering the remedies to be applied to this state of things, you are to give due weight to the unfavorable nature of the seasons, which occasioned enormous expenses in collecting the harvest, and which has, in fact, occasioned one bad harvest, if not another, so that the collection of it was excessively expensive.’ Surely these circumstances must not be overlooked in taking the subject of distress into consideration. But, besides the agriculturists, there is another class laboring under great distress—the manufacturers. I want to know whether the competition of machinery with labor in all departments of mechanics, the general application of steam, the competition abroad with our manufacturers, and the general imitation of our fabrics, have not produced very great distress amongst the manufacturers at home? These are the circumstances to which His Majesty refers as important to be considered in connection with the subject of distress, and they are those over which Parliament has no control. Can this House prevent competition by foreign markets with our own? Can we prevent improvements in machinery? Can we prevent steam from being applied to foreign manufacture? And yet we all know that this injurious competition is ruinous to the manufacturer, by lowering his wages, or throwing the laborers out of employ. But then the noble Earl says the distress is general—universal. My Lords, I am afraid the distress is very general; but I must say, notwithstanding the distress which prevails, that there are symptoms to show that the country is advancing. I say, and it may be proved by documents, that the exports of British manufacture have increased, have been increasing for the last few years, and that in the last year they were larger than they ever were before. I say, my Lords, that the amount of exports of produce of British manufacture is greater than it ever was before. I say that there are, upon all sides, shown the strongest symptoms of improvement in the condition of the country—that there is not a railroad or canal upon which the traffic has not increased of late years, including last year. True it is, my Lords, that the profits of trade are now smaller than they were formerly; but if profit, however small, is being derived from the labor of men and animals, surely it is impossible but that some advantage must accrue to some one. It is true that these advantages are not so great as they were ten or fifteen years ago; but there is some advantage, or would the increase of traffic exist? And where

that is the case, the distress cannot be said to be universal. There is another circumstance which I would call to your Lordships' attention. There is in this country a very large class of persons who are retail dealers: I ask if they are distressed? This class is very numerous in every town and village in England: I want to know if they are distressed? Are they able to pay their rents? Who build and rent all the new houses that one sees in all directions? These, my Lords, are circumstances, say what you please, which every man must feel and acknowledge as indications that the country, notwithstanding the pressure upon it, is still rising, and in some points must continue to rise. I will now say one word, my Lords, upon the remedies proposed by the noble Earl. That noble Lord has entirely misunderstood the argument of the noble Viscount (Goderich). The noble Viscount had said that the revenue in the year 1815 produced eighty millions sterling, and that, though taxes had been reduced, first to the amount of eighteen millions, and afterwards to the amount of nine millions, making altogether twenty-seven millions, the revenue produced in sound currency now the same amount as it did in a depreciated currency before. Does not, then, this fact of the revenue keeping up, though the taxes were taken off, prove that the consumption of articles had increased one-third since the period when the taxes were taken off?—a proof, also, of the better state of the country. It would be impossible for the country to increase in its consumption one-third in fifteen years, if it was suffering under the universal distress which the noble Lord talks of. The noble Lord opposite (Earl Stanhope), and the noble Lord who spoke last (Carnarvon), have thought proper to refer the distress to a deficient circulation. Now, my Lords, I hold in my hand a paper which gives the relative amounts of the circulation at different periods. By this it appears that the largest sum ever known to be in circulation during the Bank restriction was 64,000,000*l.* sterling. The sum was made up of—

Bank of England notes . . . . .	£30,000,000
Country-bank notes . . . . .	23,000,000
Gold . . . . .	4,000,000
Silver . . . . .	7,000,000
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Total . . . . .	£64,000,000
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But in the last year the circulation consisted of—

Bank of England notes . . . . .	£19,900,000
Country-bank notes . . . . .	9,200,000
Gold . . . . .	28,000,000
Silver . . . . .	8,000,000
Total . . . . .	<u>£65,100,000</u>

Being an excess over the largest circulation ever known. If the question be about the actual amount of money in circulation, I beg to observe that there is more money in circulation now than there ever was at any period of the Bank restriction, and that whoever considers that there is abroad 65,000,000*l.* cannot say that money is scarce. Why, the truth of the matter is, that noble Lords want not extended circulation, but unlimited circulation—that is, to give an unlimited power to some individuals—not the Crown, any one but the Crown—to coin as much money, in the shape of paper, as they please, that they may be enabled to lend a fictitious capital to all sorts of speculators. This is what the noble Earl opposite wants, but what the country cannot have without exposing it to a degree of ruin from which it so narrowly escaped in 1825 and 1826. If your Lordships will attend to the arguments of the noble Lord, you will see that this is what he wants. For what is the language now held? ‘In the west of England,’ one says, ‘I inquired, and found that the farmer could not borrow any money. His corn-yards and hay-ricks were full, but he was not able to raise money upon them; and why? Because the country banker cannot make *l.* notes.’ If these bankers, says the noble Earl, cannot lend their money, they cannot get any interest upon their capital. I beg his pardon. The banker may have discount upon cashing the farmer’s bill; but he is not content with that profit: he wants to be making *l.* notes, and to have profit upon those insecure notes, in addition to the discount. And what is it the noble Earl wants now, and will perhaps move for in a few days? Not to increase the circulation, for there is as much now as at any former period, but to give certain persons power to lend as much money as they please upon land or no land, upon security or no security. I submit to your Lordships that the noble Earl has not proved the want of money: there never was a period when money was less wanted. Is there any man, however speculative—any scheme, however visionary, provided only it is a little plausible, which now-a-days lacks support? Is there any power, however bankrupt, even Portugal and Brazil, though the creditors



of these countries have been so ill treated, but can borrow money in this city, upon any security or no security? In fact, capital is more abundant now than it was ever known to be, and the evil is certainly not too limited a circulation. I am sorry to trouble your Lordships with these observations, which are rather replies to what has been said by the noble Earl; and I will now pass to more important topics in His Majesty's Speech—namely, the measures which affect the permanent welfare of the country. In answer to all the declamation that we have heard to-night, as to the evils resulting from free trade and this system of currency, I beg to state to your Lordships only one fact. Since the year 1815, but principally since the Bank restriction was taken off, measures have been adopted by which this country has been relieved from 27,000,000*l.* a-year taxes, besides 3,000,000*l.* or 4,000,000*l.* interest of the debt, representing a capital of 100,000,000*l.* of debt. I beg you to bear this in mind when you are discussing this question; and I would tell the advocates of what is called an 'equitable adjustment,' that, with all their measures, they could not have accomplished so much. I repeat that, since the Bank restriction has been taken off, the country has been relieved to the amount of 9,000,000*l.*, and 18,000,000*l.* besides. I wish to take no credit to myself for this: I give it to those to whom it is properly due—to my noble friend upon the cross-bench (Lord Bexley), and to the noble Viscount (Goderich) opposite. Your Lordships, then, perceive what may be done by economy: we give our pledge to strive to attain similar ends by the like means, and we call upon you, and count upon your giving us your aid, to put that economy into practice which will enable us to imitate and rival our predecessors. I trust that your Lordships will believe that His Majesty's Ministers will do all in their power to relieve the distresses of the country.

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*February 12, 1830.*

#### SETTLEMENT OF GREECE.

Lord HOLLAND expressed his disappointment and surprise that the pacification and final settlement of Greece had not been effected.

The Earl of ABERDEEN defended the course which the Government had pursued on the subject.

Viscount MELBOURNE considered that the circumstances of the Russian war were very discreditable to this country.

*THE DUKE OF WELLINGTON* spoke in the following terms :

My Lords, Although perfectly satisfied with the defence of the Government which the speech of my noble friend has afforded, yet, as some things have been stated since he sat down, more particularly by the noble Lord upon the second bench, whom, if he will allow me, I will call my noble friend (Lord Melbourne), I shall trouble you with a very few words upon this occasion. My Lords, His Majesty, in his Speech from the Throne, delivered upon the first day of the Session by the Lords Commissioners, stated to you that he had concerted with his allies a plan for the pacification of Greece, and in order to carry into effect the Treaty of the 27th of July ; and it was further promised that he would shortly lay before you all the circumstances necessary to enable you to form a judgment upon the course which he will pursue with respect to these transactions. That was the promise, and yet the noble Lord comes down and tells you, ‘ Don’t wait for the communication which the King has promised in his gracious Speech to you ; don’t wait for the plans, but at once adopt the proposition as stated by the noble Lord, and resolve that the plan of the Ministers will not satisfy the honor of this country.’ That is the proposition which the noble Lord makes to you, and which he calls upon you to adopt, before you know whether or not the plan is irrevocably fixed, and without knowing whether the plan upon which you resolve will have any influence upon our proceedings for the future. But I ask whether this is a situation in which the House ought to place itself ? or whether it is consistent with its dignity to come forward and enter into resolutions such as this, without knowing whether the Crown would alter one tittle of the arrangements which it had already made ? The noble Lord alludes to the resolution of 1827 ; but what can be more ridiculous than that resolution, except that which the noble Lord moved to-night, and by which he would call on your Lordships to vote that you had lost all confidence in His Majesty’s Ministers, and particularly in myself ? To prove that, however, what does the noble Lord do ? Why, he collects a pack of stories from the newspapers, and makes a statement with what I must term an absolute contempt for dates and facts. My noble friend (Lord Melbourne) seems to think that the Turks were encouraged to publish their

policy. The noble Baron blames us also for not having carried on active hostilities against the Turks to fulfil the Treaty of the 6th of July. If there was any principle which the Right Honorable gentleman (Mr. Canning) with whom all these transactions originated insisted on more strongly than another, it was the principle that the Treaty should be carried into effect without any act of hostility. I know this to have been the case, for I received his first instructions when I was engaged in an embassy respecting it, which were distinctly to that effect. But that is not all: the Treaty itself provides that we should not mix ourselves up with any of the hostile attempts of the parties. But the Government did contemplate ulterior measures, and the battle of Navarino was one of the results. And here again I would call upon the noble Baron to attend to facts and dates. It is true that an arrangement was made with the Egyptian troops for the evacuation of the Morea, and it is also true that troops were sent to compel the evacuation; but at the time the troops were sent, it was not known what arrangements were made upon the subject. Such, I can assure the noble Baron, was the train and order of the facts to which he has alluded. I say that throughout the whole of those transactions we were guided by the spirit of the Treaty, and of the declaration made by His Majesty to Parliament. Our object was a peaceable settlement of Greece, and not a disturbance which might promote the purposes of extensive empire. But again, the noble Baron has accused us of omitting to include the island of Candia within the new territory of Greece. This is hardly fair: the noble Lord knows as well as I do that the Protocol of the 27th March did not include that island, so that Candia was omitted by the combined act of the Allies. The noble Baron should reflect, however, that, if we were resolved to give Candia to Greece, we must first conquer it from the Turks; and, as I have said before, neither the terms nor the spirit of the Treaty could justify us in conquering anything for the Greeks. For the reasons which I have already stated, and which I could prove still more distinctly if I had the papers before me which will be at the command of the House, I shall conclude by moving the previous question upon the resolution of the noble Baron.

*February 25, 1830.*

### STATE OF THE NATION.

Earl STANHOPE having, after a long speech, moved that the House resolve itself into Committee to take into consideration the internal state of the country,

Viscount GODERICH opposed the motion as inconvenient in itself, and inadequate to bring the real question under discussion.

The Duke of RICHMOND considered the proposed inquiry essentially due to the admitted distress of the country.

The Earl of ROSEBERRY was ready to support a motion to this effect, if brought forward in a definite and less exceptionable form.

The Earl of ELDON felt that the country had a right to know the opinion of the House of Lords on a condition of distress, which, he conceived, if it could not be entirely removed, might be alleviated.

*THE DUKE OF WELLINGTON* said :

I will, my Lords, presently proceed to notice what has fallen from the noble and learned Lord who spoke last, and to set the noble Earl right with reference to his misconception of his Majesty's speech, delivered by the Lords Commissioners ; but I will, in the first instance, beg leave to advert to something which fell from the noble Earl who made the motion, and from the noble Duke who spoke in the course of the debate. The noble Earl, although he had stated that it was not his intention to make his motion personal against me, yet he certainly did contrive, somehow or other, in most part of his speech to introduce matters entirely personal. The noble Duke has done the same, although I apprehend that the noble Duke especially cannot have any personal feelings against me or against the Ministers. He has, however, brought forward an occurrence in a county in which I am Lord Lieutenant, the noble Duke forgetting that he himself was in the neighborhood, in another county, in which a similar misfortune had occurred. It is your Lordships' duty I admit, to do all in your power to alleviate the existing distress, but I am sure no benefit can be derived to the community at large from personal attacks in this House, and from impeaching individuals. The object we must all have is to endeavor to discover the causes of the distress, and to ascertain the means which can be devised to alleviate it. The noble Earl who commenced this debate began by stating that the agricultural population of the country is in a state of the greatest distress, and he was followed in the same strain by the noble Duke opposite.

No man feels more confident on this subject than I do, and on the first day of the Session (although my noble friend was not present) I stated what I now repeat, that I did not entertain the slightest doubt of the distress; but when the noble Duke calls upon the House to appoint a Committee of Inquiry into the agricultural distress, he should recollect that the usual course on similar occasions is, to state what substantive measure it is intended to propose. Does the noble Earl mean to propose a repeal or an alteration of the Corn Laws? If he does, I will at once tell him I shall oppose him. The Corn Laws cannot be repealed without injury to the country. That measure has worked completely to the object destined, by preventing the price of corn rising so as to injure the interests of the country at large, whilst it has enabled the agriculturist to receive a beneficial reward in some degree for his labor. In the second year of the existence of that law, a greater importation of corn than ever took place, to the extent of three million quarters, of which two million five hundred thousand came from Ireland, yet the prices were not lowered in this country beyond what was deemed a remunerating price to the agriculturists. With reference to another branch of agriculture, at this moment I have the means of proving that the prices received for other articles of agricultural produce, such as meat, timber, &c., are fully equal to what they were when the Bank Restriction Act was in existence, and when the amount of taxes was the heaviest. This is true; and this being the fact, what measure does the noble Earl propose to adopt to relieve the distress of the agriculturists? The next subject that the noble Earl referred to is the manufacturing interests. My Lords, no man can doubt that the amount of the manufactures in the country at present is larger than was ever known. This increase has been produced by the improvements in machinery and the application of steam. The great competition in this country has reduced the price of labour extremely low. I shall now come to consider the causes of the distress. My noble friend has not happily adopted the speech he quoted. His Majesty has begged Parliament to advert to the unfortunate state of distress, and to endeavour to trace out the cause. The words of the speech were:— ‘His Majesty feels assured that you will concur with him in assigning due weight to the effect of unfavorable seasons, and to the operation of other causes which are beyond the reach of legislative control or remedy.’ ‘His Majesty is convinced that no pressure

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of temporary difficulties will induce you to relax the determination which you have uniformly manifested to maintain inviolate the public credit, and thus to uphold the high character and the permanent welfare of the country.' These were the very circumstances to which his Majesty referred, and which are referred to by the noble Viscount. The noble Viscount will find, however, that he could not repeal the taxes he wishes to have repealed without injuring the resources of the country. I will only beg to call to the recollection of the House the state in which the world was at the end of the war in the years 1814 and 1815. Europe was then absolutely overrun with armies, and had been so for thirty years. There was nothing but armies in the world, and nothing was thought of but the means of sustaining them. Except in France and this country there were few manufacturers in Europe; but when the peace took place all the world became manufacturers, and a great fall in prices necessarily ensued. I will read, from a paper I hold in my hand, a few extracts of the prices of several commodities in different places since the peace of 1814. Cotton in England—the raw article, in 1814, sold at 2s. 2d. the pound, or, with duty included, at 2s. 4d. In 1815 and 1817 it sold at 1s. 8½d., and in 1829 at 6d. This, my Lords, was a fall in price equal to what has taken place in any other article. Silk in 1814 sold for 1l. 4s., or, with duty included, for 1l. 9s.; whilst in 1829 it sold for 8s. 10d., or with the duty, at 8s. 11d. the pound. Sheep's wool in 1814 sold for 8s. 2d., or with the duty at 8s. 3d.; whilst in 1829 it sold for only 2s. 3d., or with the duty, at 2s. 4d. These, my Lords, were circumstances beyond the control of Parliament, and which could not be remedied, and yet they must affect the situation of the country. Another article I will quote is fir timber, which fell equally. Profits have fallen equally with the fall of the raw material. Cotton yarn, which sold for 4s. 4½d. the pound in 1814, in 1830 sold for 1s. 5½d.; and cotton manufactured goods have altered in price within the same period from 1s. 5d., 1s. 8d., 2s. 0½d. to 6½d., 8½d., and 8½d. Irish linens have fallen from 1s. 7d. to 1s. 0½d.; woollen cloths from 1l. 8s. 11d. to 1l. 5s. 5d. Other articles have been reduced enormously in price by the competition with foreigners. In those articles in which there was no competition with foreigners, prices have been reduced very much, such, for instance, as in the iron and pottery trades. Here are causes evidently beyond the control of Parliament—Parliament

cannot, by any act of theirs, raise the price of the manufactured goods. The noble Earl (Stanhope) has talked of the great distress in Ireland—in Cork, and other places. He feels excessive concern to hear of this distress, and would be glad to hear of any possibility of relief; but he is sure that relief could not be given by a Committee of the whole House which was not to examine into anything by which the relief of that distress could be achieved. No remedy appeared to him to be suggested by the appointment of the Committee. The noble Viscount has adverted to making the Bank of England surrender its charter as a means of relief by leading to a better system of banking; but my noble friend is mistaken if he supposes that Government has not paid attention to the subject. I will tell my noble friend that this is beyond all Parliamentary control. This is not a measure which Parliament can now debate. Parliament cannot interfere on the subject but by consent of the Bank, without at least evincing its bad faith by the breach of the Bank Charter. My noble friend then adverted to a measure which was to lead to a repeal of the taxes. No man can wish more than I do to repeal the taxes as far as possible. What, my Lords, is Parliament engaged on every day except in considering the establishments, and the means of augmenting the resources, with a view to alleviate the burthens of the people? The noble Lord has said that the country can now obtain relief, for that the Government has saved a sum of money. I must beg leave to observe to my noble friend, that he has made a very great mistake in his statement of the income and expenses of the country for the last and the present year. He has made his calculations upon the grounds that the accounts of the revenue made the receipts equal last year with the year preceding, but there is a material difference, amounting even to the sum of 1,300,000*l*. The King's Speech did not take the noble Lord's view of the case, but adverted to the difference of the estimates and their actual produce. The revenue of the year 1829 was estimated at 900,000*l*. less than that of the preceding year, for owing to particular circumstances connected with the malt trade, the malt duty of 1828 had produced 900,000*l*. more than was expected in 1829. To this must be added an actual deficiency of 400,000*l*.; so that my noble friend made a mistake of 1,300,000*l*. in estimating the produce of the revenue for 1830. Another mistake is his striking out the receipt of the dead weight from one side of the account and not from the

other, forgetting that the whole charge falls upon the public. My noble friend will find, if he includes all these items, that, instead of a surplus revenue over expenditure of three millions, there would be only a million and a half, and that would be its utmost amount, even after all the savings it is the wish of his Majesty's Government to carry into effect as far as possible. It should be remembered that the savings are not all clear gain to the public; and, moreover, if the savings were not made where they would not fall on individuals, they would do more injury than good. When offices become vacant the Government always considers whether the public service cannot go on without filling them up; and if this be not the case, the next point is to consider whether the place cannot be filled by some persons who already receive half-pay or pension, so that the half-pay or pension may be saved to the public. We have tried to reduce the list of pensions of the army and navy by not keeping men in the service the full time they ought to serve, according to the original institutions in the army. As the men are generally willing to take their discharge the amount of their pensions is lessened. I should deceive the House by telling them that savings would be beneficial if they were made at the expense of individuals who must be thrown on the public as soon as the savings are made. With reference to the question of the silver currency, which has occupied a large portion of the noble Lord's speech, I shall prove that the noble Lord is entirely mistaken. In point of fact, both metals, silver and gold, circulate now on the same principle on which they circulated previously to the year 1797. But it is well known that our silver coinage, previous to the war, was much deteriorated by wear and other causes, and was then only a legal tender by tale to the amount of 5*l*. It was by weight, however, and at the rate of 5*s*. 2*d*. an ounce, a legal tender to any amount. Silver is now a legal tender only to the extent of two pounds; and the intrinsic value of the coin being not quite equal to its nomination, it is kept in circulation only by limiting the amount of the tender, and therefore the silver coin may be said now to circulate on the same principle as previous to the year 1797. The noble Lord is totally mistaken when he says that silver would circulate to a greater degree if it were made a legal tender to any amount. When any such measure has been attempted, the Bank has invariably found



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other, forgetting that the whole charge falls upon the public. My noble friend will find, if he includes all these items, that, instead of a surplus revenue over expenditure of three millions, there would be only a million and a half, and that would be its utmost amount, even after all the savings it is the wish of his Majesty's Government to carry into effect as far as possible. It should be remembered that the savings are not all clear gain to the public; and, moreover, if the savings were not made where they would not fall on individuals, they would do more injury than good. When offices become vacant the Government always considers whether the public service cannot go on without filling them up; and if this be not the case, the next point is to consider whether the place cannot be filled by some persons who already receive half-pay or pension, so that the half-pay or pension may be saved to the public. We have tried to reduce the list of pensions of the army and navy by not keeping men in the service the full time they ought to serve, according to the original institutions in the army. As the men are generally willing to take their discharge the amount of their pensions is lessened. I should deceive the House by telling them that savings would be beneficial if they were made at the expense of individuals who must be thrown on the public as soon as the savings are made. With reference to the question of the silver currency, which has occupied a large portion of the noble Lord's speech, I shall prove that the noble Lord is entirely mistaken. In point of fact, both metals, silver and gold, circulate now on the same principle on which they circulated previously to the year 1797. But it is well known that our silver coinage, previous to the war, was much deteriorated by wear and other causes, and was then only a legal tender by tale to the amount of 5*l*. It was by weight, however, and at the rate of 5*s*. 2*d*. an ounce, a legal tender to any amount. Silver is now a legal tender only to the extent of two pounds; and the intrinsic value of the coin being not quite equal to its nomination, it is kept in circulation only by limiting the amount of the tender, and therefore the silver coin may be said now to circulate on the same principle as previous to the year 1797. The noble Lord is totally mistaken when he says that silver would circulate to a greater degree if it were made a legal tender to any amount. When any such measure has been attempted, the Bank has invariably found

that the silver returns to it, and thus it is found impossible to force it unnaturally into circulation. The important subject of the silver currency has been under the consideration of Government, and, I can assure the noble Viscount, has not been neglected. One other point I would desire to advert to. I allude to what has been said with reference to the shipping interests. No man feels more than I do the necessity of encouraging the shipping and navigation of the country ; but, my lords, there is no reason to complain of any depreciation of the shipping interest, for at this moment the tonnage amounts to more than it has done for many years past. The shipping of the country has been on the increase. I may observe, indeed, that the shipping interest does not make such large profits as formerly ; but neither are the expenses of ships so high. The charges of shipbuilding, equipment, provisions, and the wages of seamen are lower now than they were. It is true that foreign ships have been allowed some advantages in England, beyond what they formerly possessed, upon the reciprocity system ; but it is found necessary, for the general benefits of trade and for the advantage of the country, to render the carriage of goods as low as possible. This is absolutely necessary, when the competition among all trades and of all countries is so active and severe. The noble Earl has thought proper to arraign me, because, on the first day of the Session, I stated certain things which induced me to believe that the distresses of the country were not so extensive as had been stated. If the noble Earl thinks that I do not feel fully the distresses of the country he is very much mistaken ; but I must tell the noble Earl that although I am ready to acknowledge the distress to its utmost extent, it is not for me to exaggerate the amount, or to suffer the House to be led away with inflated statements and distorted views. Would it be possible that the revenue could continue to be so productive if the distress of the country were so extreme as it has been represented to be ? Does an increased produce from reduced taxes show the existence of that general extremity of distress ? I pray your Lordships to look at the produce of the Malt-tax in 1828 and in 1829, notwithstanding the bad harvest in the former year. Look at the produce of all the other taxes. I am justified also in referring to the increase of buildings, not only in London, but throughout the kingdom. That must surely be the consequence of a progress making by the

people towards prosperity. There are other circumstances which bear me out in my opinion. For instance, the condition of the Savings banks. It is true that at one period large sums have been drawn out of those banks, but they have since come back. Whence did they come? Is not that a circumstance which shows that there is some progress towards a better state of things? Then look at the increasing traffic on roads, canals, railways, &c. That traffic has been increasing for ten years, till it is now nearly double what it was ten years ago. A noble Marquis, in remarking on the state of the currency a few nights before, observed that the amount of currency at present in circulation might not be enough for the wants of the people. Does not that show an increase of trade? All these circumstances, notwithstanding the distress which no doubt exists—which I do not deny—which no man can deny, still impresses my mind with the conviction that the country is in progress to an improved state of things. I beg your Lordships to consider well the circumstances to which I have requested your attention. Call for what documents you think proper, inquire carefully and extensively into the subject, but do not agree to the present motion for no purpose but to make an attack on the existing administration.

Motion lost by 118 to 25.

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*March 18, 1830.*

### STATE OF THE LABORING CLASSES.

The Duke of RICHMOND prefaced with an extended address a motion for the appointment of a Select Committee to take into consideration the internal state of the country, more particularly with respect to the working classes, and the effect of taxation upon productive industry.

Earl BATHURST opposed the motion, as involving an inquiry so vast that it could not be completed within the Session, and the consequence of which, therefore, must be a state of suspense on the part of the country, tending to general dissatisfaction and disappointment.

The Earl of ELDON insisted upon the appointment of the Committee, as essential to prove to the people that Parliament entertained a real desire to remove their evils.

The motion was opposed by the Marquis CAMDEN, the Duke of BUCKINGHAM, the Earl of WICKLOW, the Earl of ROSSLYN, Earl GOWER, the Earl of DARNLEY; and supported by the Earl of MANSFIELD, the Earl of WINCHELSEA, the Marquis of SALISBURY, the Earl of RADNOR, Lord HOLLAND, and the Marquis of LANSDOWNE.

*THE DUKE OF WELLINGTON* said:

I quite concur with the noble Marquis who has just sat down, that it is desirable for your Lordships to adhere to the usual practice of Parliament, in making inquiries such as that proposed by means of committees; but I am also of opinion that in these matters your Lordships ought to adhere to the practice of Parliament entirely and closely, and that practice has invariably been to this effect:—That when a noble Lord moves for the appointment of a Committee of Inquiry on any particular subject which he wishes to bring under consideration, he states specifically to the House what is the object which he intends to effect by means of a committee. That is the invariable practice in moving for such committees; and when I find it departed from in the present instance—when I observe that it is very doubtful what is to be the particular object of the proposed committee, and that several noble Lords who have supported the motion have each stated a different subject for inquiry, I think the House has reason to doubt whether there is not some object in the present motion beyond that which appears on the face of it. The noble Duke, in bringing forward the subject, stated that it was a motion for inquiring into the internal state of the country, with a view to the condition of the laboring poor, and in order particularly to ascertain the manner in which taxation affects productive industry. As the noble President of the Council truly stated, there is not a single branch of the Government, or of the internal policy of the country, which might not, and would not, come under discussion before a committee appointed according to the terms of this motion. Each of the noble Lords who supported the motion has stated a different object for the committee; I have taken the trouble to write these objects down as they were mentioned, and I declare I believe there are not less than twenty important subjects proposed for consideration, including even a measure relative to the management of private property; and three or four questions concerning currency and coinage, some requiring the adoption of a silver coinage on one system, and others upon another. When I find a motion thus proposed and supported—when I find that the words of it might be made to include everything, I conclude that the purpose of noble Lords is to go into what inquiries they like, or if not so, that there is some ulterior party object in view directed against the existing Government. The noble Baron on the back bench (Holland)

has misunderstood his friend the noble Earl who opposed the motion. The noble Baron is mistaken when he assimilates the committee moved for by the noble Duke to a committee lately appointed on the motion of an hon. gentleman in another place. That was a committee appointed to investigate the expediency of establishing poor-laws in Ireland; and the gentleman who moved its appointment stated specifically—at least so it appears, as far as the report of what he said upon that occasion goes—what object he had in view in his motion, and to what points he intended to direct the inquiry which he proposed to the House of Commons to institute. The conduct of the noble Duke (Richmond) is very different. A noble friend of mine, it is true, complained on a former night that the same Ministers who now consent to that inquiry in another place, objected to a similar motion of his own two years ago. This is perfectly true; the ground of objection which I stated to the noble Lord's motion at the time was, that the noble Lord intended to propose the establishment of poor-laws in Ireland; and as I, in common with your Lordships, am not prepared to consent to the establishment of poor-laws in Ireland, I opposed the motion, and the House agreed with me in rejecting the noble Lord's proposition. A noble Lord, in alluding to the recent reductions of taxation, stated that he felt full confidence in the intentions of his Majesty's servants to make further reductions if they found it possible to do so. The noble Lord thought proper to state his confidence in Ministers—a confidence which I trust they will be found to merit; and the noble Lord refused his assent to the motion now before the House, on the ground that it implies a want of confidence in his Majesty's servants, which is not warranted by their acts. The motion is neither more nor less, in point of fact, than a demand upon your Lordships within eight-and-forty hours after the Minister had come down and proposed a large reduction of taxation, to agree to a declaration of want of confidence in the intention of Government to carry on the public service as economically as possible, and to do everything in their power to relieve the country. The noble Marquis (Lansdowne) misunderstood what had been stated by his friend the noble Baron (Holland). He described the number of subjects proposed by different noble Lords for inquiry, and he went further and said, that no doubt each of these noble Lords thought he should be a member of the committee if appointed, and he stated the inevitable consequences of

such a committee being established, and the manner in which the business would, in all probability, be done under such circumstances. The noble Marquis must have seen the conduct of my noble friend upon different committees, that it has been that which became a Minister of the Crown performing his public duty, and endeavouring, by every means in his power, to elucidate the subjects under consideration upon such occasions. The noble Marquis forgot a material feature in the committee appointed a few years ago to inquire into the whole state of Ireland: he was a member of that committee, as well as a noble Earl who has taken a part in the discussion; and I beg leave to remind the noble Earl that there was one subject which, on account of the difference of opinion existing upon it, was wholly excluded from consideration.

The Marquis of LANSDOWNE: It was excluded one year, and included the next.

*THE DUKE OF WELLINGTON*, in continuation:

I think the noble Marquis will find that my statement is correct, and that the matter in question was excluded from the inquiry, because it was considered impossible at the time to come to an agreement upon it; and besides, it was thought a subject too important to be taken into consideration by the committee. The same may be said, to a certain extent, with respect to the great and important question of taxation. I must here observe with respect to this committee, upon the appointment of which so many noble Lords have spoken, and to the motion for forming which so many noble Lords have given their support, that in point of fact many of those who have said that they intend to vote for the noble Duke's proposition have declared their opinion that it will never produce any result. The noble Lord who sits on the cross-bench has stated that it is probable there will be no result from the appointment of a committee. The noble Lord appears to dissent from this; but I beg his Lordship's pardon; I took down his very words, and they were, "It cannot be expected that relief should be given." But it is to afford relief that it is proposed to appoint the committee; and if "relief cannot be expected," why move for its appointment? It is not, surely, in order that the discussion of a variety of questions before the committee may excite in the minds of the people hopes of some favorable result, which expectations, according to the noble Lord, must ne-

cessarily be disappointed! Surely your Lordships would not appoint a committee in order merely to give noble Lords an opportunity of discussing a variety of subjects in the committee without the prospect of any solid advantage arising from their discussions. Nor can it well be believed that this last effort of the noble and learned Lord is made with a view to annoy and derange the King's Government. Supposing that no result can be expected from the labours of a committee, is a committee to be appointed to try this question—did Government, or did it not, put the truth into the King's Speech with regard to the state of the country? On former occasions, I have given various reasons for believing that the truth was stated on the subject in his Majesty's Speech; and I have not since altered my opinion. I am fully convinced that there is great distress in the country; but I do not believe that the distress is general, and I do believe that it is gradually subsiding: such is my belief at the present moment. But a noble Lord, who formerly attacked Ministers for stating that the relief of many of the evils complained of was beyond the power of Parliament, has stated to-night that a committee might not be able to afford relief. Ministers stated, in the King's Speech, that his Majesty was convinced no pressure of temporary difficulty would induce Parliament to relax the determination it had invariably manifested to maintain inviolate the public credit, and thus to uphold the high character and permanent welfare of the country. The King's servants have thought it their duty to propose a large reduction of taxation, in order to lighten the pressure of the public burthens, a measure that I am happy to say has given great satisfaction to many, and which has been handsomely mentioned by my friend the noble Duke at the table, and by a noble Marquis and Baron who have taken part in the debate. In executing this project, Ministers have done no more than what they thought to be their duty on this occasion with reference to the public advantage; and if, instead of a remission of taxation, they had been under the necessity of maintaining the revenue, and keeping up the taxes of which they have been enabled to propose the repeal, they would have endeavoured to prevail on Parliament to maintain these taxes as readily and manfully as they have proposed their repeal. It affords me great gratification to believe, as I conscientiously do believe, that this measure will give relief to the country without impairing the necessary efficiency of the public



establishments. I think Ministers have chosen the best mode of affording relief that was in their power ; they have repealed precisely those taxes that, as compared with others, will take the smallest sum out of the Treasury, and put the largest amount into the pockets of the people : I am satisfied that the repeal will be a great relief to the country. The noble Marquis and other noble Lords have stated their expectation that the repeal of taxes would be carried further. I will not, at this hour of the night, go into the calculations which induce me to believe that, certainly at the present moment, reduction of taxation could not be carried further consistently with a due regard to the security of the country. As Government has proceeded hitherto on the principle of reducing every establishment and office, as far as possible, which is not necessary to the public service, it will continue the same practice, and endeavour to reduce every branch of expenditure not absolutely necessary for the attainment of that object, hoping thereby to produce such a saving as may place other sources of economy, and the means of a further reduction of taxation, at our disposal. If Ministers succeed in this object so much the better ; if not—if the public service prevent it—they will throw themselves with confidence upon Parliament, and in the discharge of their duty trust to its aid for support. If the motion of the noble Duke had been a motion to inquire into the state and administration of the Poor-laws, it might have been worth while to consider whether or not it ought not to be adopted ; but at the same time I beg to remind the House that the subject of the Poor-laws has been already repeatedly under consideration ; that there are now upon the table of the House of Commons, and I believe upon that of your Lordships' House, reports of two or three committees, some of them detailing the very facts contained in the letter which the noble Marquis has read to the House ; consequently Parliament, Government, and the public, are in complete possession of these facts, and the ends of inquiry, as far as the attainment of information is concerned, have been accomplished. It should be recollected that some of the greatest statesmen that ever lived in England—that Mr. Pitt and Mr. Windham—attempted to deal with the difficult subject of the Poor-laws without success. It is a subject equally important, difficult, and complicated ; the system, as far as local practice and arrangements go, varies almost in every parish in England, more or less, and, I repeat, it is almost impos-

sible to deal with it successfully. I appeal to the noble Earl whether it is not a subject which Parliament should approach with the utmost caution, and meddle with only after a most deliberate inquiry ; you ought not to enter into it hastily, or at an inopportune period like the present : it will be better to wait till the country is restored to a state of complete prosperity, and then investigate the subject with a proper degree of attention.

The motion was lost by a majority of 141 to 61.

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*March 28, 1830.*

#### AFFAIR AT TERCEIRA.

The Marquis of CLANRICARDE moved a series of resolutions condemnatory of the course pursued by His Britannic Majesty's Government in preventing, by armed force, the landing on the island of Terceira, a portion of the dominions of Donna Maria, Queen of Portugal, of a number of Portuguese subjects of Her Majesty, who had proceeded thither, from their previous asylum in England, for the purpose of resuming their active allegiance to Her Majesty.

The Earl of ABERDEEN defended the policy of His Majesty's Government in the affair.

The Earl of RADNOR supported the resolutions, as did Lord HOLLAND.

*THE DUKE OF WELLINGTON* said :


My Lords, However anxious I may have been that your Lordships should have an opportunity of discussing the affair of Terceira, this opportunity has certainly been afforded you, both in this and in the last Session of Parliament. This is, I believe, the fourth time the subject has been under discussion ; and I conceive that every objection which has been introduced has been plainly and satisfactorily answered ; but I must say, my Lords, a more extraordinary mode of bringing forward the discussion than that which has been resorted to on this occasion has never occurred in any instance whatsoever. The noble Lords who supported this motion, after admitting that this country has a right to remain neutral—after admitting that Great Britain has a fair and just right to remain neutral, or to adopt either of the two courses which were open to her with respect to these contending parties—these noble Lords now stand forward and certainly pronounce the most severe and the most uncalled-for invectives against his Majesty's Ministers for pursuing that line of conduct to which they have thought proper to adhere. I will assert, my Lords, that, after the

affair of Oporto, if Ministers had previously entertained any doubt of the propriety of remaining neutral, they must have been convinced that neutrality was the only course they could pursue, unless they sent out an army to Portugal to conquer that country for Donna Maria, and to uphold the new Portuguese constitution. Now, my Lords, I am perfectly convinced, if any such project had been laid before your Lordships, you would at once have rejected it, and have looked upon such a proceeding as one unworthy of this country. I will contend that those who took the course which is now complained of—those who supported a system of neutrality—did so because they saw that the whole kingdom of Portugal, civil as well as military, was adverse to the party which wished to interfere with the then existing state of things ; but with this fact in evidence before us, noble Lords come forward and pronounce the most violent invectives against Ministers, because, instead of adopting that sort of proceeding which I have just pointed out, they deemed it more advisable to remain neutral in the contest. Having determined, then, thus to continue neutral, how did Ministers afterwards act? They did all they could, in the first instance, to save that body of men whose designs had totally failed. They were received in this country in the best possible manner ; but certainly they were not received as a body of troops. Ministers did not know them or recognise them in that capacity. Ministers did not, and could not, know them as a body of troops, sustained and supported by the English creditors of the Portuguese Government. Those men, however, with the exception of not being in arms, were, in every other respect, doing all the duties of the military profession, and that, too, under the very guns of one of his Majesty's naval arsenals. There they remained for four months ; yes, for two months after the period when, as I am informed by a person best able to give accurate information on the subject, these men were organised as a body of troops. My noble friend near me (the Earl of Aberdeen) has stated that the party in Portugal which supports the government of Don Miguel consists of the decided friends to this country. The fact really is so. I stated the other night, and I now repeat the statement, that, with the exception of a very small number of people, this country has not an enemy in Portugal. When Ministers saw that the entire body of the people were in favor of Don Miguel—when they saw that a great body of the population, including many persons

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of rank and distinction, were the friends of Don Miguel—how were they to act? Why, the first proposition was this,—“Shall we give to a body of troops, now collected together in this country, convoy to the Azores?” That proposition was made to Government, and it was very justly refused. Those people were told by me, and it is one of the points much relied on by noble Lords, that they might proceed as individuals to the Azores if they pleased. I certainly might have left out that part of the letter without any detriment to it. But I will ask, did those persons go out as individuals? I contend that they did not. They remained together as a body of troops; and as such, with their officers, they intended to proceed to Terceira. That was the first information which reached me; and on the 15th of October I received further intelligence of the manner in which they were paid. I was told that they were daily increasing in numbers; and that the addition to their numbers included many foreign troops who were engaged in Germany and the Low Countries to join the Portuguese at Plymouth. Was it proper, I will ask your Lordships, that a body of troops, not only Portuguese but Germans, should be allowed to assemble under the guns of the arsenal of Plymouth for the invasion of Portugal, and that his Majesty's Ministers should take no notice of such a proceeding? Were those men to remain there, while transports were preparing in Plymouth Sound to convey them on a martial expedition, and Ministers to look on without interfering? The subject was maturely considered by Government, and those men were ordered to separate, and to proceed to different places in the neighbourhood. The noble Earl has endeavoured to draw a distinction between those persons assembled at Plymouth, and the Portuguese who took refuge in Spain. He said that the troops who had thus entered Spain from Portugal were deserters. It is true, my Lords, they were deserters; but it is equally true that there is a special article in existence, with respect to deserters, between the two governments of Spain and Portugal. The noble Earl does not seem to be aware of an arrangement by which it was agreed that, on the giving up of arms on both sides, there should be an end of the question with respect to deserters. The troops, therefore, who took refuge in Spain were precisely in the same situation as the Portuguese troops in this country; and when it was found that those individuals were marched on an expedition hostile to Portugal, a body

of troops was at once sent from this country to defend Portugal. But then the noble Lord says, "Aye, but the Portuguese troops in Spain were armed, and the Portuguese troops here were not." I will very soon show the fallacy of any argument founded upon that point; and here comes the question as to the correctness of the assumption of the noble Baron who spoke last, and whose speech so much entertained the House. How stands the fact? Why, the truth is, that the arms of the Portuguese troops who had left this country had absolutely gone before them. In my letter of the 22nd of September, to the Marquis of Palmella, I stated that the arms of those troops had already been sent abroad. It is the fact that I then pointed out the mode in which those arms were sent out of the country, and the trick that was played in order to effect that object. Arms and ammunition were secured at Terceira by means of the trick which I described in that very letter. It is explicitly stated in that letter that the troops remaining in the town of Plymouth, commanded by General Stubbs, contrary to his Majesty's prohibition, had already sent their arms to Terceira. The fact is so; it is just as I stated; the arms of those persons were on the spot before they left this country. Arms were ready when they arrived there to enable them to carry on operations at the Azores, contrary to the avowed neutrality of this country. The next point to which I will draw your Lordships' attention is one which those who spoke in support of the motion appear to have left out of the discussion, but which is, nevertheless, worthy of notice. I wish your Lordships to examine the papers, and to mark the moment when orders were given for a British force to proceed to Terceira, to prevent the scheme from being carried into execution which Ministers were perfectly aware was in contemplation. Fair notice was given to the Marquis of Palmella, and he was earnestly entreated not to suffer that scheme to be carried into execution. Not only was he advised not to give a sanction to these troops for carrying into effect the hostile purpose which was admitted by him in the course of the correspondence to be in agitation; but when measures were taken to oppose and to prevent it, full notice of them was given to him. The question then comes to this,—if Ministers thought it necessary that those troops should be dispersed; if they deemed it necessary to give notice that they would prevent the execution of that hostile purpose which they knew was contemplated, whether they could find



any other and better mode of acting than that which they adopted? That is the first question. I knew that they might have made those people disperse by means of force, and I think they would have been justified in doing so; but I ask whether that would be considered a discreet and wise exercise of authority? Suppose they resisted: I know not what your Lordships would have thought of that. If, again, they were dispersed over the country, how were they to be treated? Were they to be dealt with in the same manner as the Germans who some time ago were proceeding to Brazil? Were they to be thrown on the bounty of the country for a twelvemonth, as had been the case with the Germans, because the Brazilian Minister would not provide for them, and who were finally sent away at the expense of this country? Was that the way in which they were to be dispersed? Then, I want to know from your Lordships, if Ministers were not to do this, what they were to do? how they were to proceed? The noble Lord says that this Government might have prevented them from going to Terceira. To that I will answer, that they went out of port under false appearances; and when they went out thus, how was Government to prevent them? They declared that they were going to Rio Janeiro, a step which his Majesty's Government could not prevent. At one time the Portuguese minister said they were proceeding to Terceira, and at another he named Rio Janeiro as their place of destination. Government at once declared to those parties that, if they attempted to proceed to Terceira or Portugal, they would certainly be intercepted; but they left this country under the false pretence that they were going to Rio Janeiro. Again, it is demanded of Ministers, when these men adopted a false pretence, why did not his Majesty's Government act? But surely your Lordships must see that Ministers could do nothing but take the step which they did take. Now we come to the consideration of the law of nations. I believe that it is allowed by the law of nations, where the neutrality of a country is actually violated, for that country to interfere with those by whom it has been violated. I am of opinion that it is competent to any power to prevent a scheme from being carried into effect which is connected with a violation of neutrality. In ordinary cases, perhaps, direct intervention may be considered a violation of the law of nations; but I contend that circumstances may occur which would render that intervention justifiable; and, in my opinion, such circum-

stances were disclosed in this case. I admit with the noble Lord that it is a very important point, and deserves all your Lordships' consideration, whether this infraction of our neutrality was one which ought to have induced his Majesty's Ministers to take such a step as they have done. Now, with respect to Terceira, I will only say that it is a very important station in a commercial point of view, especially respecting ships coming from the Westward or Southward. I am well aware of the statements made by the noble Baron as to the strength and importance of that place; but the argument which the noble Baron has raised on that point cuts both ways. As it is a strong and important place, it may be fit for the friends of Donna Maria to possess it; but it also involves a point of very serious interest with reference to the power of England and to her commerce and navigation, because, my Lords, I feel strongly the importance of not allowing Don Pedro, the Emperor of Brazil, now that the two governments are divided, from coming by any means into the possession of any of the ancient dominions of Portugal. I therefore say it is the policy of this country—and good policy also—not to allow him to become possessed of Terceira if we can possibly prevent it. With respect to the blockade of Oporto, it appears to me that in recognizing it Ministers only did their duty. It was a blockade *de facto* by a power having possession of naval means to support that blockade; and according to all rules on which this country has acted, it was a blockade which the British Government had a right to respect. But not only are Ministers blamed for respecting that blockade; they are also censured for not having instituted a blockade themselves. Yet, after what had occurred at Lisbon and Oporto, there could be no ground for such a proceeding. My Lords, the various motions on this subject are all of a similar character. None of them are calculated to produce public benefit; and on this, as on former occasions, I shall meet the motion with a negative.

The motion was lost by a majority of 126 to 31.


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March 29, 1830.

### CORN-LAWS.

Lord KING moved a series of resolutions against the Corn-laws.

The Earl of MALMESBURY advocated the restrictive system, as necessary to



our independence of other nations with respect to the production of the first necessary article of life.

The Earl of ROSEBURY and the Earl of CARNARVON also opposed the motion.

*THE DUKE OF WELLINGTON:*

I agree entirely with the noble Baron in wishing to have plenty of cheap corn, because I think this would be highly beneficial to the country, and tend to improve the condition of every class of society. But I am anxious to see this effect produced in a manner different from that pointed out by the noble Baron. I wish to see plenty of provisions created in a way that will confer benefit and advantage on the native agriculturist; I wish to see that plenty derived from the improvement of Ireland, and from the increase of her productions. If cheap provisions are produced by these means, great national good must be the result. And I will say farther, that a plentiful and steady supply of provisions cannot be produced by any other means. In reply to the observations of the noble Baron, I will call on your Lordships to look at the returns which have been laid before this and the other House of Parliament, and ask you to advert to the long period from 1791 to 1815, during the whole of which time the ports were open at a duty of 24*s.* per quarter when the price was beyond 50*s.*, which duty was continued up to 1804, and 22*s.* when beyond 60*s.*, which was the case up to 1815. Advert to that very long period, and you will find that there was not one single cheap year of corn. It never was below the price at which importation was prohibited. If your Lordships will refer to last year, you will perceive that corn had been in the course of that year as high as 74*s.*; and my noble friend has stated what the amount of grain imported was—namely, 8,000,000 of quarters of grain of different kinds, of which 3,500,000 quarters were wheat. Now, I beg leave to ask, did the price of corn come down in consequence? It did not, although there was an importation in one week to the amount of 400,000 quarters. The price, however, still remained the same; it experienced no fall. The noble Baron has made a sort of attack on me with reference to the measure connected with this subject, which I had the honor to introduce some time since into this House. The noble Baron affirms that the measure has not worked well. Now I will assert that the measure thus noticed did work well. It protected the agriculturist; by its operation the produce of the country was rendered sufficient for its consumption; and it prevented the price from



rising to an exorbitant rate. Such is the fact; it is equally true that the introduction of foreign corn to this country did not bring down the high price of from 70*s.* to 74*s.* a quarter. Your Lordships may look at the subject in another point of view. Look at the price of wheat at Dantzic from 1791 to 1815, and consider the price at which it was sold in recent years when it was required in this country. In January, 1826. the price of wheat at Dautzic was 18*s.* 11*d.*; in June it was 19*s.* 5*d.*; in December, it was 27*s.* 3*d.*; in January, 1827, 25*s.* 7*d.*; in June, it was 22*s.* 4*d.*; in December, 22*s.* 9*d.*; and in December, 1828, it was 57*s.* 8*d.* Was it owing to any deficiency of the harvest in Poland that this rise took place? No such thing; it was caused by the demand in this country. Was that the mode of procuring cheap corn? It was the very reverse, for our demand had the effect of raising the price. In January, 1829, the price was 58*s.* 8*d.*, and in June it was 45*s.* 8*d.*; this alteration arose from the circumstance of the harvest in this country not turning out so badly as was expected. In December, 1829, the price was 30*s.* 8*d.*, a fall of nearly one-half between January and December. Why, I will ask your Lordships, did such a fall take place in the price of wheat at Dantzic? Simply because the demand for it in this country had ceased. This clearly substantiates my argument that the high price was occasioned on the continent by the demand of this country. I will then say, if we are to pay a high price for corn, let us give it to the English or Irish agriculturist, and not to the foreigner. That is precisely the principle of the existing Corn-law; and I will assert that it has worked well. It has assuredly one great advantage which preceding Corn-laws could not boast; it has been carried into execution without interruption, while the previous law and the amended law were infringed on by the Government every year, or every second year, by the introduction of corn without any duty, to the advantage of certain individuals, but without any advantage to the agriculturist. Another effect of the present Corn-law is to give protection to the agricultural interest of this country; and in my mind it is a most important point to effect this object. It is a great political object, not only when viewed with reference to the duties which the nobility and gentry throughout the empire are called on to perform, but it is also an object of the first importance, so far as the interests of the people of this country are concerned, in order to ensure them a certain

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supply of corn of home growth, whether the year happens to be unproductive or otherwise. The noble Baron ridicules the idea of a duty being levied abroad on foreign corn about to be shipped to this country. But there is nothing ridiculous in the matter; for the noble Baron on inquiry would find that a duty of 20*s.* a quarter has been levied on corn about to be exported to this country; and, therefore, it is not wise that we should place ourselves so much in the power of foreigners. Bonaparte levied a duty on corn the growth of France, as well as of Austria and of Prussia, when he was in possession of the capitals of those countries, which was intended for exportation to England. If Bonaparte did so, what is to prevent the monarchs of Austria, Prussia, or Russia, from taking the same step? In fact, as the noble Earl near me reminds me, the King of Prussia did lay on such a duty in 1801. And it ought not to be overlooked that a great portion of the corn intended for this market must come through the territory of Prussia. Are we, then, to rely on the forbearance of these foreign sovereigns to obtain the necessary supply of corn to England? I say, my Lords, certainly not; and therefore I will contend that this country cannot wisely do otherwise than secure the interest of the agriculturist, who ought to be encouraged to raise a sufficient supply of corn to meet the wants of the country either in time of war or at any other period of distress. The noble Baron has taken up much of your Lordships' time in discussing the amount of profit which the manufacturer derives from exporting his goods to foreign countries; and, he argues that, if we allowed foreign corn to be imported at a small nominal duty, that profit would be vastly increased. But the noble Baron has forgotten one great cause of the small profits that are realised on our goods when sent to foreign parts, namely—the great increase of manufactures abroad. The greatest difficulty is experienced in exporting our manufactures. In some countries there is a total prohibition of them; in others there is an extremely high duty; and in all there is much competition and jealousy. The Government in every one of those foreign countries does everything in its power to prevent the sale of British manufactures. I am convinced that, if the people of this country went to the continent and purchased all the corn in Poland, not an additional article would they be enabled to force into France, Germany, Prussia, or Russia. If the merchants of this country were allowed freely to purchase grain, foreigners would

get as much for their corn as they possibly could ; but their rulers would not allow a single article of our manufactures to be imported, in consequence of our being obliged to buy the grain of those countries. There is undoubtedly a certain quantity of manufactures in this country more than the population itself can consume, which it would be very desirable to get rid of. But is it exactly true that our taking foreign corn will have the effect of enabling other countries to purchase our manufactures ? And even if such were the case, what are we to do with our own corn ? If those countries wish for our manufactures, why, when Russia and Prussia dispose of their corn to other states, do they not come and purchase goods from us ? For my own part, I believe after all that the home market is our best resource ; that there we dispose of the greatest number of our manufactured articles. It has, and I think with truth, been stated that two-thirds of the whole quantity of our manufactures are disposed of in this country. The greater part of the woollen, and the whole of the silk manufactures, are consumed here ; and, I ask, will you take the corn trade from the hands of those who afford you the best market ? I think such a proposition quite preposterous. I am sure that the interests of all classes in this country are nearly allied. You must not look to the interest of the cotton manufacturer or of the iron manufacturer. That which we are bound to consider is, the benefit of all ; and, in my opinion, the common good will be most effectually secured by getting the greatest quantity of provisions for the whole community—by giving a proper remuneration to those who produce those provisions, and so encouraging them to do what is most beneficial to the community at large.

Resolutions negatived without a division.

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May 6, 1830.

### NATIONAL DEBT AND REVENUE.

Viscount GODERICH, in a speech of great length, moved for various returns elucidatory of the state of the National Debt and of the Revenue.

*THE DUKE OF WELLINGTON* said :

I consider that the Government and the people are under the greatest obligation to my noble friend for having introduced this


subject to their notice, and for the manner in which he has treated it. I will not weaken the effect of the admirable speech of my noble friend, either by commenting upon its matter, or by repeating over again anything that he has said. In general I agree with all that has fallen from my noble friend, and I congratulate your Lordships in having had laid before you so admirable a statement of the true state of the National Debt, and of the interest paid by the nation on that debt. There is only one part of the statement of my noble friend to which I must confess I cannot give my entire concurrence. The part to which I allude is that in which my noble friend has, with his customary candour, commented upon that topic which usually goes by the name of the Equitable Adjustment. My noble friend has admitted that an increase of the debt was occasioned by the depreciation of the currency, and has stated the amount of this at twenty per cent. It is certainly true that there was a large increase in the price of commodities during the depreciation of the currency; but the allowance that my noble friend has made appears to me to be a very large allowance indeed. My noble friend has admitted too much, I think, in stating the annual increase of the charge on account of the debt contracted in a depreciated currency at 3,500,000*l*. To calculate this we ought to take the difference between the market price of gold and the Mint price in 1819, when the Bank Restriction Act was repealed. The difference then was about four per cent.; and as the amount of charge for the debt at that period was 30,000,000*l*., this difference of four per cent. made 1,200,000*l*. That is all which could have been saved by sacrificing the honor and credit of the country, by what is called an Equitable Adjustment. By the measures that have since been taken there has been an actual saving of 150 millions to the country, a circumstance which ought to give us hopes that everything that is required by the country may be done with good faith and honor, instead of resorting to the national bankruptcy that is recommended by some—I beg to say that I am not here alluding to my noble friend Earl Stanhope. My noble friend concluded by some observations on the Unfunded Debt. It is true that the amount of Exchequer bills is twenty-five millions; but of that sum four millions have been issued on account of public works, and will be repaid without causing any charge to the country. Of the remaining twenty-one millions, six millions

By this statement it will be seen that the average of the three years before the adoption of the reciprocity system was only 591, while the average number of ships built since that system came into operation is 834. As to the reciprocity treaties, I am quite free to admit that they were adopted with a view to decrease the price of freight in this country, so as to enable the British merchant to take his goods abroad, and bring back his returns on cheaper terms than before, and so enable him to compete with the new state of things which it was foreseen must arise in the altered condition of the external relations of British commerce. It was well known that freights would be rendered cheaper; but when the trade since 1814 had nearly doubled, the voyages were made quicker, and, of course, though the sums paid were smaller, the advantages of more rapid commercial intercourse would more than make up the difference. When the noble Lord says that nothing has been done for the shipping interest, but that everything has been done against it, I must appeal to facts against his assertion. Are there not great facilities now afforded in quarantine regulations,—has there not been a great reduction of colonial fees? The stamps on registers and shipping bonds are reduced from 30s. to 5s.; the stamps on ship transfers and on mortgages have also been decreased. In all the stamps on shipping transactions reductions have, in fact, been made: the tonnage duty has been repealed, lights and harbour dues greatly reduced, and a greater latitude allowed for repairing ships—they can be repaired abroad, to break down combination at home; half the hemp-duty has been repealed; all these regulations must surely be admitted to have been benefits conferred on the shipping interest during the time in which the noble Lord says that nothing was done by the Government to protect the interests of this class of the community. When these circumstances are all taken into consideration, recollecting that voyages are now much more rapidly made, and are more frequent than formerly, I think they must refute the statements which the noble Lord was so anxious to make. I am at a loss to see what good could result from the proposed inquiry; for it could only make apparent the same details which I have already given from official records, and the general tendency and result of which cannot, I think, be mistaken.

which such injurious consequences have been ascribed. In the last year the entries were 13,659, and the tonnage 2,184,535, the greatest number ever known in the commercial history of this country. I beg your Lordships to remark that the increase has been gradual and progressive, occurring year after year. It is not therefore the result, as the noble Earl might suppose, of the ancient laws, nor has it been impeded by the new laws. In conjunction with this gradual increase of British shipping, I would wish your Lordships to observe what has been the progress of foreign shipping. In 1814, when the number of British ships entering inwards was 8975, the number of foreign ships was 5286; in 1817, when the average number of British ships was 9959, the number of foreign was 3974, showing a large decrease in the latter. In 1820 the number of foreign ships was 4639; in 1823 it was 3573; in 1826 it was 6116; and in 1829 it was 5218; showing that the relative increase of shipping is altogether on the side of this country. In fact, there has been rather a decrease of foreign vessels, and a great increase of British ships engaged, as the noble Earl will have it, in a sadly losing trade. All this, however, and everything of the same kind, goes for nothing with the noble Earl. It is perfectly true that the increase of trade with those countries to which we are bound by reciprocity treaties has not been so great as your Lordships might desire, but still there has been an increase. Again, to advert to another part of this losing concern of the noble Earl—the number of ships built within a certain period. I know very well that, if the trade is a losing one, and men have ships, it is better to employ them at a low freight than allow them to rot idle in the docks; but then, if nothing is to be made by the shipping trade, why build new ships? If the trade in the old ships be carried on at a loss, for what reason build new? Now, my Lords, taking each year since the year 1814, I find this statement on the subject of ship-building:—

In 1814 the number was . . . 733	In 1822 the number was . . . 571
1815    "   "   . . . 949	1823    "   "   . . . 604
1816    "   "   . . . 866	1824    "   "   . . . 837
1817    "   "   . . . 766	1825    "   "   . . . 1003
1818    "   "   . . . 761	1826    "   "   . . . 1037
1819    "   "   . . . 797	1827    "   "   . . . 911
1820    "   "   . . . 635	1828    "   "   . . . 857
1821    "   "   . . . 597	1829    "   "   . . . 734

By this statement it will be seen that the average of the three years before the adoption of the reciprocity system was only 591, while the average number of ships built since that system came into operation is 834. As to the reciprocity treaties, I am quite free to admit that they were adopted with a view to decrease the price of freight in this country, so as to enable the British merchant to take his goods abroad, and bring back his returns on cheaper terms than before, and so enable him to compete with the new state of things which it was foreseen must arise in the altered condition of the external relations of British commerce. It was well known that freights would be rendered cheaper; but when the trade since 1814 had nearly doubled, the voyages were made quicker, and, of course, though the sums paid were smaller, the advantages of more rapid commercial intercourse would more than make up the difference. When the noble Lord says that nothing has been done for the shipping interest, but that everything has been done against it, I must appeal to facts against his assertion. Are there not great facilities now afforded in quarantine regulations,—has there not been a great reduction of colonial fees? The stamps on registers and shipping bonds are reduced from 30s. to 5s.; the stamps on ship transfers and on mortgages have also been decreased. In all the stamps on shipping transactions reductions have, in fact, been made: the tonnage duty has been repealed, lights and harbour dues greatly reduced, and a greater latitude allowed for repairing ships—they can be repaired abroad, to break down combination at home; half the hemp-duty has been repealed; all these regulations must surely be admitted to have been benefits conferred on the shipping interest during the time in which the noble Lord says that nothing was done by the Government to protect the interests of this class of the community. When these circumstances are all taken into consideration, recollecting that voyages are now much more rapidly made, and are more frequent than formerly, I think they must refute the statements which the noble Lord was so anxious to make. I am at a loss to see what good could result from the proposed inquiry; for it could only make apparent the same details which I have already given from official records, and the general tendency and result of which cannot, I think, be mistaken.



*June 29, 1830.*

DEATH OF GEORGE IV.

The Duke of Wellington presented the following message from his Majesty, which was read, first from the Woolsack by the Lord Chancellor, and afterwards by the Clerk :—

“ WILLIAM, R.

“The KING feels assured that the House of Lords entertains a just sense of the loss which His Majesty and the country have sustained in the death of His Majesty’s lamented brother, the late King ; and that the House sympathises with his Majesty in the deep affliction in which his Majesty is plunged by this mournful event. The King, taking into his serious consideration the advanced period of the Session, and the state of the public business, feels unwilling to recommend the introduction of any new matter, which, by its postponement, would tend to the detriment of the public service. His Majesty has adverted to the provisions of the law which decrees the determination of Parliament within an early period after the demise of the Crown ; and being of opinion that it will be much conducive to the general convenience and to the public interests of the country to call, with as little delay as possible, a new Parliament, his Majesty recommends the House of Lords to make such temporary provision as may be requisite for the public service in the interval that may elapse between the close of the present Session and the meeting of another Parliament.”

*THE DUKE OF WELLINGTON* then addressed their Lordships as follows :

My Lords, I am convinced that your Lordships will think that I do right in taking the earliest opportunity of calling on your Lordships to express your grief and condolence to his Majesty, upon the severe loss which his Majesty, your Lordships, and the country at large, have all sustained by the death of his late Majesty. My Lords, with respect to the latter part of the Message which has been submitted to both Houses of Parliament by his Majesty’s commands, I beg to postpone all consideration of it to another period, confining myself on this occasion to express our condolence for the loss his Majesty has sustained, and our



congratulation on his Accession. My Lords, our late Sovereign, having received the best education which this country could afford, had the singular advantage of having passed the early part of his life under the immediate superintendence of the King his father, and the subsequent part in the society of the most eminent men that this or any other country ever produced, and in the society of the most eminent foreigners that ever resorted to this country. Accordingly, my Lords, his Majesty's manners received a polish, and his understanding a degree of cultivation, which made him far surpass in accomplishments all his subjects, and made him one of the most remarkable Sovereigns of our time. He acquired a degree of knowledge upon the subjects which it was most important for a Sovereign of this country to be acquainted with. Those advantages he carried with him into the Government which he afterwards exercised in the name of his illustrious father, and as the Sovereign upon the Throne, up to the time of his lamented death. During all that period, my Lords, and up to the last moment of his life, no man ever approached his Majesty who did not feel instructed by his learning, and gratified by his condescension, affability, and kindness of disposition. These advantages were not confined, my Lords, to external show of manners; but I appeal to every noble Lord who has ever had the honour of transacting business under his Majesty's direction, whether, on every occasion, his Majesty did not manifest a degree of ability, of talent, and of knowledge in the most minute affairs of life, beyond what could be expected from a person in the exalted situation his Majesty had always filled. This is not all, my Lords—his Majesty was the most distinguished and most munificent patron of the arts in this country, and in the world; and he has left behind him the largest collection ever possessed by any individual of the most eminent works of the artists of his own country, as well as a collection of the works of art generally, such as few Sovereigns, and such as no individual (for as an individual his Majesty collected them) ever possessed. This being the case, I entreat your Lordships to reflect on the state in which his Majesty, in 1810, found Europe, and this country included in Europe, and the state in which he left it. Having taken that into consideration, together with the great political contests and the great events which have occurred during his reign and under his auspices, I say that we have reason to be proud of his late

Majesty. I am convinced, therefore, that your Lordships will join with me in an expression of condolence to his Majesty upon the severe loss which we have suffered. The next point to which I wish to direct your Lordships' attention is, an expression of congratulation to his Majesty on his accession to the Throne. His Majesty, in his declaration from the Throne, has stated to the country what the country may expect under his Government. His Majesty has stated that he has passed his life in the service of his country; that he will follow the example of his father and his brother; and he calls upon Parliament for its support and confidence in his endeavours to promote the happiness and peace of the country, and to maintain the established religion and the laws of the land. I am certain that your Lordships will be anxious to concur in the Address, which holds out to his Majesty hopes of your zealous co-operation and support in his endeavours; and I am convinced that your Lordships will most cordially agree in the Address which I am about to move.

The noble Duke then read the following Address:—

“That an humble Address be presented to his Majesty, to assure his Majesty that we fully participate in the severe affliction his Majesty is suffering on account of the death of the late King, his Majesty's brother, of blessed and glorious memory.

“That we shall ever remember with affectionate gratitude that our late Sovereign, under circumstances of unexampled difficulty, maintained the ancient glory of this country in the war; and during a period of long duration, secured to his people the inestimable blessings of internal concord and external peace.

“To offer his Majesty our humble and heartfelt congratulations on his Majesty's happy Accession to the Throne.

“To assure his Majesty of our loyal devotion to his Majesty's sacred person, and to express an entire confidence, founded on our experience of his Majesty's beneficent character, that his Majesty, animated by sincere love for the country which his Majesty has served from his earliest years, will, under the favour of Divine Providence, direct all his efforts to the maintenance of the reformed religion established by law, to the protection of the rights and liberties, and to the advancement of the happiness and prosperity of all classes of his Majesty's faithful people.”

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*July 6, 1830.*

### SALE OF BEER BILL.

The Duke of RICHMOND, in presenting a petition from 4000 licensed victuallers of the Metropolis against the Sale of Beer Bill, gave notice that, to prevent that measure from totally destroying the vested interests of the publicans and licensed victuallers, he should move a clause to prevent ale or beer sold under the Bill from being drunk on the premises.

*THE DUKE OF WELLINGTON*, in moving the second reading of the Bill, said :

I beg to trouble your Lordships with a few observations which I think it proper to make, in consequence chiefly of some remarks made by the noble Duke who presented the petition from the publicans of London. Your Lordships are aware that the subject has been very much discussed in the other House, and that evidence on the subject has been there taken before a Select Committee. The effect of the Bill, if passed into a law, would be, to enable any person to retail beer under a licence from the Excise, without a licence from the magistrates; and there are provisions in the Bill for the preservation of peace and good order in those places where beer shall be sold under the authority of this Bill. One great object of the measure is, to enable the country at large, and particularly the lower orders, fully to avail themselves of the advantages to be derived from the other measure connected with this—I mean the bill for the repeal of the beer-duty. I am aware of the objections that have been made to this Bill, some of which have been mentioned by the noble Duke to whom I have just referred; and if the objections should be further pressed in the course of any discussion that may arise this evening, I hope for your Lordships' indulgence while I advert to such topics in reply as may occur to me. At present the objections to the Bill appear to me to resolve themselves into two; first, the danger with which the measure is likely to be attended, with reference to the peace and good order of the community, from the permission given to sell beer at any place licensed by the Excise, without any licence from the magistracy; and, secondly, the great injury which it is said will result from it to the great body of publicans who have invested their property in public-houses licensed by the magistrates. As to the first objection, your Lordships will find, on an examination of the Bill, that it contains a

variety of regulations which are calculated to remove all reasonable apprehension of any serious danger to the peace and good order of the community. There are provisions for preventing the houses from being kept open at improper hours, more particularly on Sundays; and other regulations for the prevention of disturbance and riot are enforced under severe penalties. As to the alleged injury to the property of those who have already invested their capital in the public-houses licensed by the magistrates, it should be recollected that they have hitherto enjoyed large profits from the monopoly of this trade, whereas this Bill is confined to beer alone, and does not trench on the monopoly which they have in the sale of wine and spirits. Besides, they will have their full share of the advantage to be derived from the abolition of the beer-duty, and they will, in all probability, gain more by the increased sale of beer which will follow that abolition than they will lose by throwing open the trade. It is obvious that, in the competition, these public-houses will have great advantages over other houses, by the superior accommodation they can afford. I am convinced that the measure will be attended with the most beneficial consequences to the lower orders, by enabling them to drink a superior article at a much cheaper rate than they have been accustomed to do, and I do not anticipate that there can be any very serious objection made to the second reading of the Bill.

The Earl of MALMESBURY contended that the noble Duke over-estimated the profits made by publicans.

The Earl of FALMOUTH opposed the Bill chiefly on the ground of the deterioration which he considered it would cause in the morals of the lower orders.

*THE DUKE OF WELLINGTON* said:

I beg leave to say a few words. It appears to me that the object of this Bill has been in some measure misunderstood. This is not a question of preference as to the remission of one tax as compared with the remission of another. The object is to regulate the beer-trade, and to extend the power to retail it to houses licensed by the Excise, instead of confining it to houses licensed by the magistrates; and this measure is necessary, in order to give the people the full benefit of the repeal of the beer-duty. My Lords, the benefit will be a very great one to the lower orders, for by means of these bills it is probable that the price of

beer will be diminished by 2*d.* per pot, or about forty-five per cent. The advantage will not be great to your Lordships, or to people in the higher stations; but the lower orders will derive great benefit from the abolition of the beer-duty, and for that reason it has been selected. The object of the present Bill is to give the people the full advantage of the remission of the beer-duty. I apprehend no danger to the peace and good order of the community from the present Bill, as the necessary provisions have been introduced to prevent the peace of the community from being broken and the morals of the people from being injured. If your Lordships will examine minutely the evidence given before the Select Committee of the other House, you will see that there is no danger to be apprehended from the want of control by the magistrates. As to the publicans, I still consider that they have derived great profits from the monopoly, and, if that is trenched upon by this Bill, they will receive ample compensation by the increased sale of beer, in consequence of the reduction of price which will be occasioned by the other measure for the repeal of the beer-duty.

Bill read a second time.

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*July 8, 1830.*

### FINANCES OF THE COUNTRY.

Viscount GODERICH, after an extended speech, asked the Government,—1. Whether they looked to have a surplus revenue? 2. What, in their opinion, the revenue amounted to during the past year? 3. What they conceived it likely to be? 4. What were the grounds on which their estimates were framed?

*THE DUKE OF WELLINGTON* said:

I am quite willing to do justice to the motives that have induced the noble Viscount to make his present statement, which is intended to throw light on the subject, and promote the interests of the country. In respect, first, to the surplus of the revenue during the present year, I must admit that it is less than I stated it would be at the commencement of the session. I then stated so from estimates which had been prepared; but it should be recollected that the Government have been enabled to make very

considerable reductions. Your Lordships know that the Finance Committee have recommended that there should be a surplus of 3,000,000*l.*, and I think such a surplus very desirable ; but your Lordships must be aware that the revenue in this country is unsettled and uncertain. It depends on a variety of causes, some of which, such as the seasons, are very variable ; and the consequence is, that, with the same rate of taxation, the amount of revenue is different in different years. From circumstances of this kind, I cannot say that up to this time the surplus of this year has equalled 3,000,000*l.*, nor can I hold out a hope, unless there is an increase in the revenue, that the amount of the surplus next year will be 3,000,000*l.* There is, and there will be, a considerable surplus ; but the revenue must improve very much before the amount of the surplus becomes equal to that recommended by the Finance Committee. It appears, according to the estimates, that the expenditure for the present year will be, for the Funded Debt, the Unfunded Debt, the permanent charge for Pensions, Half-pay, &c., and the charge for the Army, the Navy, and the Ordnance, altogether 47,815,147*l.* The revenue for the year, stated at 50,480,000*l.*, is, for the Customs, 17,200,000*l.* ; Excise, 19,300,000*l.* ; Stamps, Post-office, &c., 13,700,000*l.* ; miscellaneous branches of revenue, 280,000*l.* From this is to be deducted 700,000*l.* for the loss of duty on beer ; 160,000*l.* for the loss of the leather-duty ; and 155,000*l.* on account of the sugar-duties : making together a sum of 1,015,000*l.* ; leaving, 49,465,000*l.* It is not, however, by looking at any one year, but by looking at the surplus of former years, that we can form the most correct judgment of the probable surplus in future. In the year 1829 the surplus was 2,246,993*l.* The expenditure of that year was 51,390,033*l.* At present the expenditure, in consequence of the great reductions which have been made, is 47,815,147*l.* The probable expenditure for the next year will be 46,515,147*l.* Under the circumstances of the country, the Government has been able to reduce the expenditure 2,500,000*l.* It has reduced the interest on the Funded Debt 800,000*l.*, and on the Unfunded Debt 128,000*l.* In three years the Government has reduced the expenditure 3,500,000*l.* That reduction has given the country a claim to a reduction of taxation ; the Government has performed its engagements to the country, and has remitted taxation to the amount of 3,500,000*l.* I look to the repeal

of taxation to produce an increase of revenue from those taxes that remain, but there must be some difficulty in making the surplus equal to that recommended by the Finance Committee. I have, I believe, by these statements, answered the noble Viscount's questions. The Government have already reduced the expenditure 3,500,000*l.*, and have reduced the taxation to the same amount. I agree with the noble Viscount, that it would be wise to revise the system of taxation—repealing such taxes as bear the heaviest on the people, and cost most in the collection. I agree also with the noble Viscount, that the expenditure ought to be reduced; the Government has undertaken that task, and will accomplish it. Much has been already done, but I entreat your Lordships to remember that the Army, the Navy, the Ordnance, and the miscellaneous services, are the only part of the expenditure which can be reduced, and they only amount to 16,500,000*l.* Of these, 5,500,000*l.* go for half-pay and pensions, and cannot be touched, leaving but little more than 11,000,000*l.* from which it is possible to make reductions. Under these circumstances your Lordships will see that great further reductions cannot be expected. As much has been, and will be done, as possible. I know that it is said that great saving may be made in the Colonies, but the greater part of the expenditure now incurred in them is for convicts and troops—charges which this country is bound to bear. Independent of these expenses, the expense of the civil Government of the Colonies is very inconsiderable.

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*July 12, 1830.*

#### SALE OF BEER BILL.

On the motion that this Bill be read a third time,

The Duke of RICHMOND enumerated several amendments which he desired to have introduced.

*THE DUKE OF WELLINGTON* said:

I have no objection to some of these amendments, such, for instance, as that which relates to the security to be given by rated householders. I shall be happy to propose such a clause myself. As to excluding constables from keeping these houses, I beg to remind the noble Duke that the office of constable is a burthen,

and that a benefit ought not to be refused to a man because a public burthen has already been imposed on him. As to the clause for adding hard labor to imprisonment, I must inform the noble Duke that the man is only to be imprisoned for non-payment of penalties; that these penalties are a debt, and that it is not usual in legislation to inflict hard labor on a debtor. With respect to the injury that this Bill may occasion to the publicans, I refer the noble Duke to the Report taken before the Committee of the other House, in which it is stated that these publicans enjoy an immense revenue, arising from the profits occasioned by this licensing system. In some cases they obtain 700*l.* or 800*l.* a-year on an outlay of 2000*l.* or 3000*l.* Such profits, on such a small advance of capital, are enormous, and I think no great injustice will be inflicted on these publicans in depriving them of profits so obtained, and in giving the country the opportunity of deriving full enjoyment from the other measure relating to beer. I beg to observe too, that some parts of the publicans' trade—such, for instance, as the spirit trade—will not be touched by this Bill.

Bill read a third time.

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[WILLIAM IV.—FIRST SESSION OF THE NINTH IMPERIAL PARLIAMENT.]

*November 2, 1830.*

### THE ADDRESS.

The Marquis of BUTE having moved the Address in answer to the Speech from the Throne,

The Earl of WINCHILSEA insisted upon the necessity of an immediate inquiry into the distress of the agricultural population.

The Duke of RICHMOND concurred in the expediency of manifesting to the people that Parliament was prepared to do its utmost to remove the evils under which they were suffering.

Earl GREY expressed his satisfaction at the recent successful resistance of the people of France to the unjustifiable measures of the family they had expelled; urged the principle of non-interference on the part of England with regard to the settlement of Belgium; and expressed his confidence that Parliament would consider the best means of relieving the prevalent distress in England.

*THE DUKE OF WELLINGTON* (Prime Minister) said:

I was in hopes, my Lords, judging from the first part of the noble Earl's speech, that I should only have had to congratulate your



Lordships on the sentiments which the noble Earl has delivered in commenting on his Majesty's speech, and what has fallen from the noble Lord and the noble Duke. The sentiments of the noble Earl do him the highest honor, and become the rank which he ought to hold in the country as a statesman. They do equal honor to his heart and head, and I congratulate the House on their expression, at the same time that I am sorry I cannot agree with what has fallen from the noble Earl upon all the points he has touched upon. The noble Earl ended his speech with some observations relative to Portugal; I will commence by answering them. I beg the House to recollect how frequently his late Majesty stated to Parliament the inconvenience felt in this country in consequence of the interruption of our diplomatic relations with Portugal; how frequently his late Majesty stated his wish to re-establish those relations; how anxiously he sought to reconcile the two branches of the House of Braganza; and how frequently, as he repeatedly told the House, he had negotiated on the subject. Having failed in his negotiations to bring about the desired union, his Majesty adopted other measures, with a view to remove the difficulties of the case, and benefit his subjects; and the Royal Speech has informed the House that there are now hopes of effecting these objects at an early opportunity. As long as there existed a government in Portugal keeping a large portion of the talent and property of the kingdom in a state of exile, his Majesty could not recognize a government so circumstanced, without endangering our safety and honor. An amnesty, therefore, which would permit the return of the exiled party, and guarantee their security, has been long recommended, and, the government of Portugal at length intending to carry it into effect, his Majesty conceived the great difficulty to be removed, and expressed his intention to recognize that government. The noble Earl says, 'Shall we be bound to go to war to carry into execution that amnesty?' This, my Lords, does not follow by any means, and the noble Earl must see, from the expressions used in his Majesty's speech, and from the observations now submitted to your Lordships, that we shall not be bound to go to war in order to carry into effect any part of the engagement. We shall be bound to interfere, in every possible way short of actual war, to prevent a violation of the amnesty, but such an interference is very different in its nature from the designs referred to by the noble Earl, and

is perfectly justifiable. Although the noble Earl does not approve of the recognition of the Portuguese government, and of the renewal of our diplomatic relations with that country, I am glad to find the noble Earl approves of the measures adopted by this Government with respect to France, and I beg to assure the House, in answer to what the noble Lord has said, questioning whether or not it was our intention to proceed in the same spirit as we had begun, and to carry into execution the arrangements with France with good faith, that these arrangements never would have been made if it were not intended to carry them faithfully into effect. When the Government of this country saw the new government of France established, his Majesty had not the slightest hesitation in acknowledging the new order of things, and I sincerely hope that such arrangements will be made, in addition to those already made, as will conduce to the welfare and best interests of that country, and the lasting peace and tranquillity of Europe. The noble Earl has thought proper to find fault with the expressions used in the speech with reference to the government of the King of the Netherlands; and the noble Earl observes that his Majesty's Ministers have not mentioned one single subject of complaint made by the people of the Netherlands to their sovereign, though those complaints appeared in a pamphlet published some years ago, and have now become matters of history, and well known to the King. But though this were the case, was his Majesty,—the ally, the close ally of the King of the Netherlands,—in speaking of the government of that sovereign, to mention what had occurred among his subjects as anything but a revolt against his authority? How could his Majesty do otherwise than treat the convulsions which had taken place in the territory of his close and near ally, but as a revolt against his legal and established government? The noble Lord has no doubt read in the daily publications the full history of the transactions. They commenced, it is well known, in nothing but a riot. The troops were eventually overpowered by those who had revolted, under the pretence of putting down that riot, for which purpose they had ostensibly armed themselves, though they eventually turned their arms against the royal authority. The complaints of the revolters against the King of the Netherlands were, in the first instance, absolutely nothing. Of what did they complain? The first object they found fault with was the union of the two countries, and the existence in the administration

of the government of a person named Van Maanen, who, however, was actually out of office at the time when the complaints against him were made. The other complaints were of supposed or real grievances, of a partial nature, and the result of local regulations. In fact, it is very well known,—and I appeal to every noble Lord who hears me whether I am not correct in saying it,—that no complaint whatever was made against the King of the Netherlands personally, or against his administration of the government, or (with one exception) against those to whom he had confided the functions of official duties, until the revolvers had attained a certain degree of success, and began to aim at what, in the first instance, they had not contemplated. What, then, I again ask, was his Majesty the King of England, in speaking of his ally, to enter into these complaints! or would it have been proper in him to have even alluded to the subject? I do not hesitate to say that such a course would in every respect have been unadvisable. And I will ask, what did the King of the Netherlands do upon his receiving these complaints? Did he not pursue the strict course pointed out to him by the constitution of the country? and did he not subsequently act in rigid conformity to his relations with other Powers? Immediately the complaints were made known to him, the King assembled the States General: he assembled that body in which was constitutionally vested the right and power to remedy the grievances complained of by a portion of his subjects. He proposed as a question for their consideration, what was termed the greatest grievance,—namely, the union between the two parts of the country: he laid before them the wish of one portion of his subjects to dissolve that union, as far as the administration of the government was concerned; and finally, he proposed to them the question of revoking certain laws that were obnoxious to his subjects. Would his Majesty the King of England have done common justice to his ally the King of the Netherlands,—justice from one friendly sovereign to another,—had he not assumed that his conduct, previously to the revolt, had been that of a wise and good sovereign, and that he wished to adopt the most effectual measures to remedy the grievances complained of? What his Majesty the King of England said was merely that he lamented that those measures had not produced satisfactory results. The noble Lord, after commenting upon the Speech from the Throne, and upon what he conceived were the views of his Majesty's Go-

vernment, asked, was it possible that the Government of England could be a just and impartial mediator, when it had, in fact, pronounced a sentence against one of the parties? I will say that even the parties themselves could not and would not deny the fact which I have just stated, nor would they dispute the correctness of the interpretation which I have put upon his Majesty's Speech from the Throne. The Belgians did, in point of fact, revolt, and that is what his Majesty said in his Speech. I will add nothing further upon this topic, but proceed to another part of the noble Lord's speech, in which he alludes to the treaties by which this country is bound in her relations to the Netherlands. The first is the treaty of peace signed by the Allied Powers in the year 1814, and by which the provinces, commonly called Belgium, were conceded and agreed to be joined to the united provinces of Holland, with a view to form a sovereignty under the government of the King of the Netherlands. In consequence of this treaty of 1814, arrangements were made for the government of the Netherlands, under the King of Holland, by each of the four Powers which had made the treaty with France. It is well known to the noble Lord that this arrangement is recorded in the treaty of the Eight Articles, and that this treaty referred to the fundamental laws of the government of the United Provinces, which were to be made applicable to the whole kingdom. There can be no doubt whatever that the four contracting Powers are bound by that treaty in the present case. It made over to the King of the Netherlands the whole of Belgium, who received it according to the arrangements of that treaty, by which all parties were to be strictly bound. Can it be contended that anything which has since occurred, or that anything in the present position of affairs, can alter the obligations or destroy the powers of that treaty? Subsequently to the arrangements of which I am speaking, the treaty was made a matter of record, and a basis of negotiation in the acts of the Congress at Vienna; in fact, the acts of the treaty of the Eight Articles were an appendix to the Treaty of Vienna, to which the King of France became a contracting party. The treaty, therefore, received every possible sanction and ratification, and France became a party to all the arrangements under it which referred to the kingdom of the Netherlands. Notwithstanding this, it has been said that the King of the Netherlands could dissolve this union between the two parts of his kingdom of himself, and

without consulting those who made the treaty, or seeking their consent to the dissolution. Now, my Lords, there can be no doubt whatever that the five Powers which signed the Treaty of Vienna would claim their indisputable right to give their opinion upon the future explanation of the articles. England could not attempt to pacify the parties alone. France could not singly make the attempt ; nor could any other Power use an effort to pacify or reconcile existing differences, alone ; the object must be attempted by all the parties in concert, and that concert, whatever the arrangements were, must include France. That there are difficulties in the way of effecting a pacification I do not deny, but I hope to get the better of them. I can assure the House that there is no intention whatever on the part of his Majesty's Ministers—that there is not the slightest intention on the part of any Power whatever—to interfere by means of arms with the arrangements respecting the Netherlands. The desire of his Majesty, and of every other party concerned, is to settle, if possible, every point by means of negotiation, and by negotiation alone. His Majesty hopes that the negotiations between the different Powers will effect arrangements compatible with the welfare of both parties in the kingdom of the Netherlands, and conducive to the general safety of Europe. Before, however, I finish with this subject, I must beg to make one observation upon a very extraordinary assertion made by the noble Earl. The noble Earl said that the Treaty of Peace of 1814 had not tended to secure, which was its object, the general tranquillity of Europe, but to lay the foundation of future wars. Unfortunately for the noble Lord's assertion, as far as experience has as yet proved the effects of the treaty, directly the reverse has been the case. Since the treaty of 1814, there has been the longest general peace, I believe, ever known in Europe—a peace of sixteen years, uninterrupted only by the return of Bonaparte from Elba in 1815. This will show that by common conciliation and management the country may get over the present difficulties as it has got over others ; and the course necessary to be pursued is, to make the general interests of the different Powers of Europe compatible with the good government and welfare of their people. I shall now come to a part of the noble Earl's speech to which I confess I advert with considerable pain, because it broaches a discussion which I had hoped might have been avoided till a future period. The noble Lord upon the

cross-bench (Farnham) has been pleased to refer to a discussion of a former period, and to connect it with the present state of Ireland, of which he seems disposed to make an immediate question. The noble Earl gave colour in some degree to the noble Lord's statements with respect to the influence of this country upon the state of affairs in Ireland. With respect to the repeal of the Union, I will only observe, that that repeal was objected to in the strongest manner by the noble Duke opposite (Richmond): it was objected to by all the noble Duke's friends in Ireland; it was objected to by all the landed proprietors of Ireland, by a very great majority of Roman Catholics, and by nearly all the Protestants of Ireland; and it was opposed by the unanimous voice of this House, and equally by the unanimous voice of the other, with, perhaps, only one exception. Such is the case at present; but what would have been the case if the great measure of emancipation, to which the noble Lord has alluded, had not been carried? The House well knows that a vast majority of the people of every class in Ireland desired to see the Catholics restored to all their civil rights. The House well knows that a great majority of its Members, as well as a great majority of the other House, has been equally desirous of effecting that object: it well knows that the great majority of the young and growing intellect of the country has ardently wished for the measure: and will any noble Lord now contend that the Government does not stand on firmer and better ground, with respect to the Union, than if the Catholic question had not been carried? I, therefore, really do not see the advantage of repeating against me the reproach of my having given way upon that question from motives of fear. I deny that I have been influenced, even in the slightest degree, by any such motive. I gave way, if it can be termed giving way, solely because the interests of the country required it. I urged the question upon views of policy, and expediency, and of justice; upon these grounds I now justify the measure, and upon these grounds I shall ever defend my conduct. The noble Lord must forgive me for saying that much of the present state of Ireland must be attributed to the manner in which the Catholic Question had been so long opposed; whereas the noble Lord would lay all the evils of Ireland to the conduct of Government. The Government has done everything in its power to conciliate and appease the people of that country, and to heal

those passions and lessen the divisions by which they were distracted previously to the successful termination of the Catholic question. It is not my duty, and it is far from my inclination, to cast imputations upon any man, but still I am bound in fairness to say, that, if his Majesty's Government had been properly supported upon that question—if it had been supported as vehemently as it was opposed—if in its efforts to heal the divisions of Ireland it had not been thwarted—that country would now be in a very different state. The noble Lord and the noble Duke complain of the excessive poverty of Ireland. No man, either in that country or in this, can be more painfully aware than I am of the extreme poverty of the Irish, and of the great inconvenience and danger to the empire resulting from the deplorable state of the lower orders—no person can be more sensible of all this than he who has now the honor of addressing the House; but I must beg the noble Lord to reflect, that it is not by coming to this House, and by talking to your Lordships of the poverty of the people, that the poor can be relieved, or that the evils resulting from that poverty can be remedied. If you wish to tranquillize Ireland, the way is, to persuade those who have money to buy estates and settle in that country, and to employ their capital in its improvement. By transferring capital to Ireland, and exciting industry there, we shall soon change the state of the case. If persons of estate and property in that country would reside in it and spend their incomes there, they would do more to tranquillize it than all the measures which his Majesty's Ministers could adopt. I will now advert to a part of the discussion of this night, in allusion to a portion of his Majesty's speech, upon a subject which gave me very great pain—I allude to the state of the public mind in a certain part of this kingdom, and the outrages committed there. I certainly cannot help agreeing with a noble Marquis (Camden) who spoke early in the debate, that the outrages of which that country has been the scene are not to be attributed to distress; for at a period when the population of the country were unquestionably exposed to greater severities of condition, such scenes of outrage did not take place. I should imagine that the outrages are carried on by two different classes of people. Some of the offences have been committed by a class which is always disposed to break machines, which they think (and certainly rightly think) will, in the first instance, throw them out of work, although they do not see

that, eventually, machinery creates an additional demand for labor and betters the condition of the laborer. But I am sorry to say that there is another class of persons who burn and destroy property without any visible motive whatever. Of the causes of the recent outrages, however, Ministers know no more than the gentry and magistracy of the county have told them. We are doing everything in our power to help the gentry and magistrates of the county to discover the causes, and we are giving them every assistance they require to put the law in force, and to put down the disturbances as quickly as possible. This subject brings me to what noble Lords have said respecting the putting the country in a state to overcome the evils likely to result from the late disturbances in France. The noble Earl has alluded to the propriety of effecting Parliamentary Reform. The noble Earl has, however, been candid enough to acknowledge that he is not prepared with any measure of reform, and I can have no scruple in saying that his Majesty's Government is as totally unprepared with any plan as the noble Lord. Nay, I, on my own part, will go further, and say, that I never read or heard of any measure up to the present moment which in any degree satisfies my mind that the state of the representation can be improved, or be rendered more satisfactory to the country at large than at the present moment. I will not, however, at such an unseasonable time, enter upon the subject, or excite discussion, but I do not hesitate to declare unequivocally what are my sentiments upon it. I am fully convinced that the country possesses at the present moment a Legislature which answers all the good purposes of legislation, and this to a greater degree than any Legislature ever has answered in any country whatever. I will go further, and say, that the Legislature and the system of representation possess the full and entire confidence of the country—deservedly possess that confidence—and that the discussions in the Legislature have a very great influence over the opinions of the country. I will go still further, and say, that if at the present moment I had imposed upon me the duty of forming a Legislature for any country, and particularly for a country like this, in possession of great property of various descriptions,—I do not mean to assert that I could form such a Legislature as we possess now, for the nature of man is incapable of reaching such excellence at once,—but my great endeavor would be, to form some description of legislature which would produce



the same results. The representation of the people at present contains a large body of the property of the country, and in which the landed interest has a preponderating influence. Under these circumstances, I am not prepared to bring forward any measure of the description alluded to by the noble Lord. And I am not only not prepared to bring forward any measure of this nature, but I will at once declare that, as far as I am concerned, as long as I hold any station in the government of the country, I shall always feel it my duty to resist such measures when proposed by others.

The Address was agreed to *nem. con.*

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November 8, 1830.

### THE KING'S INTENDED VISIT TO THE CITY.

The Duke of RICHMOND, in the course of a discussion with reference to Belgium, having incidentally referred to the policy of the Government in advising the King not to visit the City on the 9th instant,

*THE DUKE OF WELLINGTON* said :

Before I proceed to address myself to the subject before the House, I feel it necessary to say that I am under great obligations to the noble Duke for putting it in my power to explain the circumstances of the letter to which he has alluded. Before I begin, however, I wish to state, that I concur in the opinion delivered by the noble Duke, that his Majesty is the most popular Sovereign that ever reigned in this country ; and, still more, that he is a Sovereign whose public and private conduct most deserves the popularity which he has obtained. The letter, however, which was last night written by the Secretary of State, by command of his Majesty, to the Lord Mayor, was not in any manner connected with that popularity ; for his Majesty had never the slightest doubt of the attachment and loyalty of all the respectable portion of the citizens and inhabitants of the metropolis. I must begin, however, first of all, by putting your Lordships in possession of a letter relating to myself, which I received the day before yesterday, from the gentleman holding the situation of Lord Mayor Elect for the City of London. That letter is as follows :—

From the station of Lord Mayor, to which I have been elected, numerous communications are made to me, both personally and by letter, in

reference to the 9th, and it is on that account I take the liberty of addressing your Grace. Although the feelings of all the respectable citizens of London are decidedly loyal, yet it cannot but be known there are, both in London as well as the country, a set of desperate and abandoned characters who are anxious to avail themselves of any circumstance to create tumult and confusion, while all of any respectability in the City are vying with each other to testify their loyalty on the occasion. From what I learn, it is the intention of some of the desperate characters alluded to to take the opportunity of making an attack on your Grace's person on your approach to the Hall. Every exertion on my part shall be used to make the best possible arrangement in the City; but should any sudden and violent attack be made in one quarter, any civil force alone might not be sufficiently effectual; and I should not be doing my duty, after what I have heard, did I not take the liberty of suggesting to your Grace the propriety of your coming strongly and sufficiently guarded. I probably may be considered giving you needless trouble, but the respect which I, as well as every person who really wishes the welfare of the country, must have for your Grace, and the gratitude we owe you, has induced me to adopt this course.'

Hence, although I felt myself personally to be placed under the same protection of the laws as any other subject in the kingdom, I did not think that I was justified in making confusion and tumult in the procession which was to attend his Majesty, by adopting the advice of the writer of this letter, and seeking protection from the civil and military power in such a way as would be likely to produce that very disturbance which all men are so anxious to avoid. Under these circumstances, when I received the letter I have referred to, I felt it my duty to refrain from attending at the City feast. My Lords, I communicated this determination to my colleagues, and we concluded on that occasion, from that letter, from other letters which I had received, and from letters received by my Right Hon. friend, the Secretary of State, on the same subject, that it was very possible that a tumult would occur in the City on the occasion of his Majesty's visit; and we thought it our duty to recommend his Majesty to postpone his visit. And we were induced to come to this determination in consequence of all the information we received of various descriptions. We have no doubt whatever, from the information conveyed to us from a variety of quarters—information on which we could rely—that an attack would be made on the police—that there was a plan laid to extinguish the lights, and that a variety of attempts would be made to excite riot and disorder. My Lords, we had no doubt that we should know how to suppress those tumults; but I must say that I considered it far preferable not to hazard the risk of

riot and confusion occurring in the presence of the Sovereign, and we therefore recommended the Sovereign not to put himself in a situation to be the witness of such tumults. My Lords, it was solely on this view that we recommended his Majesty to postpone his visit, as I conceive it impossible that such confusion and tumult should exist, without ending in bloodshed. The people, my Lords, would be collected together to witness a pageant—the pageant of his Majesty going in state to visit the Corporation of the City of London, and confer on the Lord Mayor the honor of dining with him. His Majesty and his Ministers, the great Officers of State, and the foreign Ambassadors, could not go to the City of London without causing a great collection of people, and making it very probable that riot and confusion would take place. I say, my Lords, that there was a great chance—and a very great chance—that there would arise serious consequences to his Majesty's subjects, and therefore we recommended His Majesty not to go. The noble Duke (Richmond) has asked if the news of disorder and tumult was confined to the City of London, and if there were apprehensions of riot in other places? There were not. It was sufficient for me to know that there were such apprehensions in the City. With some parts of the country other noble Lords must be better acquainted than I am. The noble Duke himself must know more than I do as to the disposition of the people in Sussex. In Surrey and one or two other counties, as is known to your Lordships, there have been some disorders; there has been some stoppage of work in Lancashire, but I know nothing beyond these to disturb the national tranquillity at this moment. At the same time I cannot doubt the truth of the information communicated by the Lord Mayor Elect, namely, that there would have been confusion and tumult in the City had the pageant taken place. After having said so much, I shall only add that I have no objection whatever to produce the document asked for by the noble Marquis; and I can assure your Lordships, that there is no inclination in the Government of the country, or any other government that I am acquainted with, to do anything which is likely to disturb the peace of Europe.

The Earl of SHREWSBURY considered that the present time was full of danger, and that a more liberal Administration was required in order to conciliate the people.

The Marquis of CLANRICARDE said that because the Duke of Wellington

himself was notoriously unpopular, that was no reason why he should seek to render the Sovereign also unpopular.

Earl GREY considered that the advice which had been given to His Majesty was not justifiable.

*THE DUKE OF WELLINGTON* said:

I should apologize for not having gone further into the subject. I have, however, referred to other letters besides that from the Lord Mayor. Your Lordships will recollect that in the letter of the Lord Mayor it was stated that he could not depend on the civil power for preserving peace, though all proper measures had been adopted. The information I have received from a variety of quarters convinces me that it was intended to attack the police. I have been asked if His Majesty could not proceed to every part of the town without being protected by the police? His Majesty certainly could; but in this case His Majesty was not to proceed alone. There was to be a procession, which required that the streets should be kept clear for fourteen or sixteen hours out of the twenty-four. A great number of persons would be collected in one spot, and, if an attack were made on the police, it would be necessary, for the safety of their lives, to call in the interference of the military. I wish to ask if the Government ought not to take such measures of precaution? Was it fit, I would also ask, when His Majesty went to visit the Lord Mayor, that there should be a battle in the streets among those who came to witness the pageant? I have letters in my pocket, and a hand-bill calling on the seamen to collect, to the number of 3000 or 4000, and present a petition to His Majesty. I had received a variety of accounts from persons in different situations, that riots were to be apprehended, sufficient to make the Government hesitate, even before I received the letter from the Lord Mayor. I will even go further, and tell your Lordships that the gentleman who is now Lord Mayor, and about to go out of office, told me yesterday it would be absolutely necessary that the escort of honor which accompanied His Majesty should remain in the neighbourhood of Guildhall or the Mansion-house. When the consequences to the City of London are contemplated—when bloodshed was likely to ensue—when it is remembered, which is an important feature of the case, that these people would be brought together by His Majesty and His Ministers, and the Corporation of London, is it to be borne that they should be the

cause of riots, disorder, and loss of life? I must, therefore, say that I was never more satisfied that I had done my duty than when I gave the advice to His Majesty not to go into the City. I was not alarmed for any danger likely to happen to His Majesty; and certainly any danger to which I myself might be exposed is nothing to the possible consequences which might happen to the people, and therefore I conceived that the advice I gave was likely to be most beneficial.

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*November 11, 1830.*

The Earl of RADNOR said that on the 8th instant the noble Duke had told them that he had other information on which he had taken the calamitous step of advising the King not to visit the City, besides the letter from the Lord Mayor. He wished to know what that information was, and whether Ministers had consulted His Majesty before they had, in his name, sent word to the Lord Mayor that he would not visit the City?

*THE DUKE OF WELLINGTON* said:

Before I answer the noble Earl's question, I must beg leave to express my regret that the measure which His Majesty's Ministers felt themselves called on to adopt should be characterized by any noble Earl as a calamity. I believe, on the contrary, that the determination taken by the Government on that occasion is now approved of, not only by the majority of the opinions of the Members of both the Upper and Lower Houses of Parliament, but by the infinite majority of the population of the metropolis and the country. The noble Earl has put to me three questions; I will take leave to answer the last before the others. The noble Earl asked if His Majesty was consulted before the Right Hon. gentleman, the Secretary for the Home Department, wrote a letter to postpone His Majesty's visit to the City? I distinctly stated on a former evening that His Majesty's pleasure was taken with respect to the propriety of going to the dinner before the letter was written; I, for one, certainly could not have allowed such a letter to be sent without His Majesty's permission. Another question the noble Earl has been pleased to ask me is this,—whether His Majesty's Government relied on the Lord Mayor's letter as the principal reason for recommending His Majesty not to go to the dinner, or whether they had other information? Now I stated on Monday evening, that I had received, for many

days before that on which the letter of the Lord Mayor was written, a number of communications, some anonymous, and some with signatures, conveying information of intended disturbance, but I certainly had not paid much attention to them until I received the letter of the Lord Mayor. That letter reached me on Saturday, and I certainly felt it my duty to send it immediately to my Right Hon. friend the Secretary for the Home Department, who felt it of importance enough to require his immediately entering into a communication with the Lord Mayor respecting its contents; and on the following day His Majesty's Government came to the determination to advise His Majesty to decline going to the dinner. On the evening of the day on which the Debate took place in this House, I received still further information on the same subject, and I stated that I had received it, at the time I explained to the House the course pursued by the Government. The noble Earl, however, asks if it is the intention of Government to lay that information before the House? I beg, on the part of the Government, to decline laying information of that description before your Lordships. If Parliament had disapproved of the course adopted by the Government, that would be quite another thing, but the Houses of Parliament have not thought proper to censure the conduct of the Government, and therefore I do not think it incumbent on me to produce the information which the noble Earl requires. The noble Earl has made some observations respecting the inquiry as to the Lord Mayor's letter being genuine. It is perfectly true that the gentleman deputed to carry the letter of the Secretary of State to the Lord Mayor had directions to make the inquiry; because the circumstances were so extraordinary, that the Right Hon. gentleman, although he had had several communications with the Lord Mayor on the subject before, did feel that, on an occasion of so much importance, it was necessary to avoid all possibility of imposition. The question was accordingly asked, and it was established that the Lord Mayor had himself both written and signed the letter. The noble Earl, in speaking of the necessity explained by the Lord Mayor of obtaining military assistance, in the event of tumult and disorder, exclaimed, 'Good God! what necessity could there be for military assistance in a city which possesses 40,000 constables?' Why, did not the noble Earl see the City in a state of uproar and confusion throughout the whole of

the night, even with its 40,000 constables? The noble Earl is mistaken as to the way in which I alluded to the possibility of bloodshed. The use I made of the term bloodshed was this: I said, that if there was a riot and confusion in the City, it would become necessary to re-establish the public peace, in order that His Majesty might pass in safety to his palace; and that for such a purpose I feared that blood must be shed. On all these considerations I felt that the Ministers were fully justified in recommending his Majesty to abstain from incurring the hazard of witnessing such a contest; and I think we are entitled to as much approbation for sending the letter which the noble Earl condemns, as for any other determination ever adopted in the course of our administration; and for my part, I rejoice that I was one of those who recommended His Majesty to avoid the danger which his visit to the City might have produced.

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*November 29, 1830.*

#### STATE OF THE COUNTRY.\*

Lord WYNFORD having, in a motion on the Distress of the Country, asked whether enlarged powers would be given to the magistrates,

Earl GREY (Prime Minister) replied in the negative.

The LORD CHANCELLOR (Lord Brougham) took occasion to intimate his opinion that many highly eligible persons were inexpediently omitted by Lord Lieutenants of counties from the magistracy.

The Earl of FALMOUTH, being satisfied that many of the persons engaged in agrarian outrages in this country were foreigners, urged the propriety of some temporary Alien Bill to meet the case of such offenders.

*THE DUKE OF WELLINGTON* said:

After the fullest consideration I have been able to give to the subject, I do not see any reason or ground for thinking that any alteration in the existing law is necessary. The outrages which have taken place in the country are of two descriptions. The first is that open description of outrage, which there is no doubt might be got the better of by the operation of the ordinary law. The second is that description of crime—the destruction of property by fire, of the perpetrators of which Government have not hitherto been

\* The Duke of Wellington's administration had resigned office on the 16th inst. in consequence of the vote in the House of Commons on the 15th on the Civil List question.

able to discover any trace whatever. It is supposed by some noble Lords that they are foreigners. I do not believe, however, that there is any evidence whatever of that fact. It is a description of crime that is certainly effected by a conspiracy of some kind or other, but whether the conspirators are foreigners or Englishmen no man can possibly say. As to foreigners being in our gaols, I can only say that, with reference to one county in which outrages of the most flagrant kind have occurred, there is not one foreigner among the persons with which Winchester gaol is filled. I will trouble your Lordships with a few words on another subject, which has been introduced into the present conversation. I think that it is desirable for Government to abstain as much as possible from interfering with the recommendation of the Lord Lieutenants with regard to the magistracy. Deeply interested as those noble Lords naturally must be in the security of the property, and the preservation of the tranquillity of their respective counties, they, of course, select persons proper, and calculated to do their duty in assisting in the administration of justice. I have no doubt that those noble Lords will, however, attend to the suggestion of the noble and learned Lord on the Woolsack, and that they will introduce a sufficient number of proper persons into the Commission of the peace. It is evident that, in most cases, local knowledge of character is indispensable before any individual can be safely recommended for the magistracy; and I therefore earnestly advise the noble and learned Lord to abstain as much as possible from interfering with the recommendation of the Lord Lieutenants.

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*December 9, 1830.*

LORD WYNFORD moved that a Committee be appointed to inquire into the causes of the present state of the distress in the country, and, as far as may be, into the nature of the remedies to be adopted.

The Earl of ROSEBURY thought it unnecessary to grant the Committee, mainly because an inquiry into the Poor-law, a leading source of popular distress and discontent, was proceeding.

The Earl of ELDON supported the motion.

LORD KING condemned the Corn-laws as the grand source of the evil.

The Earl of WINCHILSEA and Earl STANHOPE supported the motion.

The Earl of RADNOR strongly censured the conduct of the late Government, to which he attributed much of the popular discontent.



*THE DUKE OF WELLINGTON* said :

Last Session, my Lords, I opposed a motion similar to that now before your Lordships, and I shall, for the same reasons, now oppose the present motion. I am as alive as any man who hears me to the distressed state of the country, and I never attempted to extenuate it. But it is absurd to attribute it to any measure of the Administration of which I was a member, as has been asserted by the noble Earl who just addressed the House. With respect to the broad censure on the late Government, cast by that noble Earl, I, on the part of myself and my colleagues, challenge the noble Earl to come forward and prove that the distress and disturbance which disfigure many districts of the country are at all owing to any of our measures or our general policy. Let the noble Earl, if he think so, come forward with a distinct proposition of inquiry, and I promise to meet him. I last Session opposed a motion, as I stated, like the present, because I agreed with that noble Earl that it would be prejudicial to the general interests of the country instead of being a benefit ; and because it embraced several most important subjects, each of which would require a long and undivided consideration. The noble and learned Lord who proposed the inquiry pointed out, as topics for investigation, our financial and monetary system, our commercial policy, the poor-laws, the corn-laws, and the use of machinery. It was impossible for any committee to thoroughly sift all these important questions, or come to any practical decision on them ; so that the disappointment of the expectations which its appointment must excite in the public mind would be ten times more mischievous in its results than the grievance for which it was intended as a remedy. It is not just, besides, to the Ministers who have so recently come into office, thus to involve them in difficulties from which they could have no time to extricate themselves. I last Session objected to such a motion, because it would then have involved Ministers in difficulties, and for that reason, in addition to the other reasons on which I then resisted it, I shall, I repeat, vote against the present motion. Your Lordships have already a committee inquiring into the abuses of the poor-laws, with a view to a remedy, and that committee might very easily extend its investigations to the question mooted by the noble Earl (Stanhope) on the cross-bench, namely, the expediency of a better distribution of poor-rates among

the manufacturers and funded interests, and to other analogous topics connected with the distress of the country, without exceeding the bounds prescribed for its inquiries, and without the necessity of appointing another committee. I never, as I before stated, attempted to extenuate the dangerous condition of the country, but I most emphatically deny that it has any connection with any measure of the late Government, or that it can in any way be said to originate from any portion of the policy pursued by me and my late colleagues. No : the dangers and disturbances with which particular districts of the country have been for some time infested, have sprung from very different causes, among which the example—I will unhesitatingly say the bad example—afforded by neighbouring States has been the most influential, as it has been the most pernicious. This has been encouraged and heightened by the misrepresentations and false ideas which have been too generally circulated throughout the country, of the causes and the character of the unfortunate events which occurred last summer in an adjoining kingdom ; and, above all, by a want of knowledge on the part of the people of the real nature of those events, and of the mischiefs sure to follow from imitating them. These are the causes of the present disturbed condition of the country, and not any measure of the late Government ; and if the noble Earl thinks otherwise, let him point out what measure or what course of policy of ours led to this state ; and, as I before said, I shall be prepared to meet him. The fact is, the causes of the distressed condition of certain districts, which we all lament, are beyond the reach or the control of any Government. How, for example, could any Ministers provide a prompt remedy for the distress of the laboring classes, as it arose from an abuse of the poor-laws ; or could they act otherwise with respect to the disturbances than as the noble Viscount at the head of the Home Department has acted, so far as precept is concerned—and by example, each according to his abilities and station ? I and my colleagues went as far as we could go constitutionally with a view to remedy the distresses of the country, and it is too much to insinuate, as has been done, that we neglected our duty. I have even heard it whispered that the late Ministers were neglectful of the progress of the disturbances which disfigured some districts of the country. This is not the fact. From the very first moment we devised and adopted every means in our power for aiding with

our advice—and, if unfortunately necessary, with force—the local magistrates in their endeavours to preserve the public peace. It is plain that Ministers could not do more, and that the details of the administration of justice, and of enforcing the laws so as to suppress disturbance, must be left to the discretion and vigilance of the magistrates on the spot. From the very first moment that my noble friend, the Lord Lieutenant for the county of Kent, communicated to me—and I believe he was the first member of the late Government who had heard of the disturbance—respecting the discontent and commotions in that county, I and my colleagues unceasingly applied ourselves to get the better of them. The noble Earl who has imputed this discontent to our policy, has, however, shifted his ground, and, after calling for vengeance on us of the late Administration, ascribes the present disturbed state of the public mind to the unwise impolicy of the Governments of the last fifty years,—implicating, of course, my noble and learned friend (Eldon) on the cross-bench. On this point I must say that my noble and learned friend had as much hand in the present disturbances of the country as I had; for I repeat, it was not till the misfortunes, for such I consider them, of July and August last had happened in a neighbouring state, and had been misrepresented in their character and origin, that the people here were induced to follow the bad example held out to them; and since that, not having been enlightened as to the mischievous consequences of following that example, the condition of the laboring classes assumed its present aspect. During our Administration, my Lords, we did all we could to relieve the people. In last Session 3,900,000*l.* worth of taxation was taken off; and since then the commercial and manufacturing interests of the country generally have been in a state of prosperity and tranquillity, except in those districts where there are gross and disgraceful disturbances. These, however, I trust, are but local and temporary. Indeed, I am emboldened to think that they are so; for with the exception of these grossly and disgracefully disturbed districts, an improving revenue, and increased consumption and demand for our manufactures and commodities, show that the country at large is in a state of tranquillity and prosperity. I have, in consequence of the attack of the noble Earl, trespassed longer on your attention than I otherwise should have done, or than I trust I shall again find necessary.

Vote negatived.

*December 13, 1830.*

### CONDUCT OF THE LATE MINISTRY AS TO SALARIES AND PENSIONS.

Earl GROSVENOR having brought forward a motion respecting certain appointments and pensions granted by the late Government after their resignation had been accepted,

The Marquis of LANSDOWNE explained that, as to Mr. Bathurst's appointment, it had been made by himself, on the King's command.

*THE DUKE OF WELLINGTON* said :

My Lords, the delay in the appointment to the vacant offices, before the resignation of the late Administration, was occasioned by our intention to reduce the salaries. As to the recently-granted pensions, to which a question of the noble Earl opposite has reference, your Lordships are aware that a considerable sum is always granted to his Majesty, to enable him to confer pensions upon those who are deserving: true it is that the Civil List expired with the King; and it is also true, that at the time of the last demise of the Crown there was a considerable number of vacancies in the list of pensioners. I rather believe that the more regular course would have been, not to have recommended his present Majesty to make any new grants out of the Civil List until the Act should have passed regulating its amount; but the custom unquestionably had been, to recommend the filling-up of vacancies as they occurred, without regard to the passing of the Civil List Act. I followed the ordinary course, and continued it from the accession of his Majesty to the hour when I relinquished the seals of office as First Lord of the Treasury. The noble Earl has said that I came down to the House on the 16th of November, and announced that I had resigned my office, and that his Majesty had been graciously pleased to accept that resignation; but the noble Earl forgot to state that I added that I would retain the situation until a successor was appointed. I did, in fact, retain it until the noble Earl opposite, so worthily appointed, relieved me in the following week. In the mean time I had recommended to the King the grant of certain pensions, and on the very day when I relinquished the seals, I applied to his Majesty on the subject. For this course I feel I am responsible: if I have done wrong, I deserve

censure for that wrong-doing ; but I beg to say that I am firmly convinced your Lordships will not think I erred with regard to any of the pensions which I was the means of conceding. Two of them were granted to gentlemen who, for three years, did me the favor of acting as my private secretaries ; and, looking at the history of former Administrations, it may be seen how amply such gentlemen have always been provided for. They ought to be provided for, for this reason, that not a paper of any description came into my hands, from any office—and I had them from all offices—that did not, in some way or other, pass through those of one of my secretaries. It is not fit, therefore, that individuals who possess such official knowledge should remain without provision. I will tell your Lordships fairly, that, having put down and discontinued on the establishment every office of every kind that became vacant while I was First Lord of the Treasury, and not having had—which I can assure the House is the truth—above two offices to give away, and those not amounting to 200*l.* a-year each, I had not had the means of providing for my secretaries ; I therefore asked the favor of his Majesty to grant them 250*l.* a-year each out of the Civil List. Another pension was granted at my suggestion to a gentleman who had been for many years in the public service, under different Administrations, and, a vacancy occurring to the amount of 500*l.*, I hope it will be thought that it was not improperly disposed of. With respect to the last point noticed by the noble Earl, I felt myself bound, if possible, to make some provision for that learned Lord, so highly deserving, and who, I believe, gave universal satisfaction. I therefore recommended him to his Majesty, and I also recommended another gentleman who had been taken into the service of his Majesty, and raised to the dignity of a Privy Councillor, and for whom I was of opinion the King was in honor bound to provide. He had been elevated above the sphere from which he had been taken, and to that he could not return. In these various transactions I hope your Lordships will think I have done nothing improper or inconsistent with the usual practice of office.

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*February 21, 1831.*

COMMERCIAL RELATIONS WITH PORTUGAL.—  
METHUEN TREATY.

Viscount STRANGFORD, in a long speech, charged the Government with having neglected the interests of this country, and done injustice to Portugal, by not adhering to the Methuen Treaty of 1703, and the Treaty of February, 1810.

Viscount GODERICH vindicated the conduct of the Government towards Portugal.

The Earl of ELLENBOROUGH considered that the policy of His Majesty's Ministers towards our ancient ally Portugal was as ungenerous to her as it was unprofitable to ourselves.

The LORD CHANCELLOR argued, on the other hand, that the alterations proposed in our commercial relations with Portugal, while beneficial in themselves, would leave no stain on the honor of England.

*THE DUKE OF WELLINGTON* said :

It would certainly appear, from the opinions of the noble and learned Lord, as though the Government had intended no breach of faith; and also from the noble and learned Lord's speech, at the same time, that Government is really embarrassed by my noble friend's motion. For certainly no lawyer ever took more pains than the noble and learned Lord to prove to your Lordships that his construction of the treaty is correct. I will do Ministers the justice of believing that their intention may not be to commit a breach of faith; my opinion is that they have neglected to advert to the treaty, as they have to many other things, in their anxiety to bring on questions at an early period. I agree with the noble and learned Lord, that the Methuen Treaty was recoverable under the penalty he has stated. In this the words of the treaty bear him out; but when they came to the 26th article, the words were found to allude generally to political and commercial treaties, as requiring revision. Then it was that new regulations were made as to the article in the Methuen Treaty by which Portugal wines were taken into this country at an advantage, and our woollens introduced into Portugal; and it was agreed that this arrangement should for the present remain unaltered. But, now, my Lords, what did the 33rd article do? It decidedly made a new stipulation respecting wines and woollens. The 33rd article of the last treaty, I maintain, placed the two countries in precisely the same relation that the Methuen Treaty placed them in; but, my Lords, it also

compelled the one to give the other notice before the commercial duties in either were altered. It has never been asserted that my noble friend, who has brought the subject under the consideration of the House, is the sole judge of the meaning of the treaty ; all that has been contended is, that, as he was the negociator of the treaty, he is no bad judge of its meaning. And what does my noble friend say ? That the 33rd article was inserted in order to satisfy the Portuguese Government that the treaty should not be put an end to until it had been fairly reviewed. It has been allowed on the other side that there is some doubt if notice ought not to have been given of the determination of the English Government to put an end to the treaty. Why, then, has not that notice been given ? It is said, that the resolution to admit the wines of France at a reduced duty was adopted, not to punish Portugal for any breach of faith, but as a measure of finance. It also comes before your Lordships as a great question of political economy. I cannot follow the noble Lord opposite through his calculations. My noble friend does not dispute that the measure might effect some increase of the revenue. What he says is, that the loss upon the Cape wines, deducted from that benefit, would render it not worth any trouble. The loss on the Spanish and on the Rhenish wines is also to be considered. As a financial measure, therefore, there is in it nothing very desirable. But not to dwell upon that point, let me ask, how does it stand as a commercial measure, as a measure of political economy ? I will ask your Lordships to consider the measure as connected with Spain. The exports from this country to the whole of the Peninsula are greater in amount than those to any other country in Europe, without exception. The exports from this country to the whole of the Peninsula amount to a fifth of the exports to all the various parts of Europe. And now this rising commerce is to be risked—for what ? For an increase to the revenue of at most 100,000*l*. We are about to sacrifice the trade with the Peninsula, which is worth annually 6,000,000*l*., to the trade with France, worth only 525,000*l*., or one-twelfth of that amount. There is another view of the question which, I confess, appears to me to be the most important of any : I mean the political view. I have frequently heard the noble Lord opposite maintain that this country cannot value the friendship of Portugal, and a free admission into the Tagus so highly. In reference to Ireland especially, I remember

that a noble Baron opposite expressed himself most strongly with regard to the advantage of maintaining our friendly relations with Portugal. Unfortunately, the great measure which I had the honor to propose to your Lordships two years ago has not answered so as to produce, I will not say all the advantages which I expected from it, but all the advantages which the warmest friends of that measure expected from it. The agitation of that question is over; but, to use a vulgar expression, a new hare has been started, and it may be long before it will be run down. I want to know whether, during that period, the friendship of Portugal, and our amicable reception in the Tagus, will not be as valuable as during the existence of that agitation which was terminated three years ago? If so, I would have your Lordships turn your attention to the wording of the treaty with Portugal, and weigh my noble friend's statement of the importance attached in Portugal to the wine trade with this country. I will not discuss the question with any reference to considerations connected with the Portuguese royal family, with Don Miguel, or Donna Maria. I will not attempt to embarrass His Majesty's Government by any such allusions. But, leaving those considerations entirely out of the question, I maintain that, under existing circumstances, the friendship of Portugal and our reception in the Tagus are of the utmost importance; and that, if we exchange these advantages for an increase in the revenue of 100,000*l.*, we shall make a gross political blunder.

Motion agreed to.

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*March 24, 1831.*

### PARLIAMENTARY REFORM.

Earl GREY having presented a petition from the county of Down in favour of Parliamentary Reform,

The Marquis of LONDONDERRY denounced the petition as a mere got-up document, emanating from low persons, and unworthy of their Lordships' attention.

After some discussion,

*THE DUKE OF WELLINGTON* said:

It is no part of my intention to prolong the discussion, having often had occasion to regret that discussions of this nature should take place with respect to important questions which are likely to



come under the consideration of the House. Upon occasions of this nature your Lordships have not an opportunity of entering into the different topics, which ought to be fairly argued and discussed, in order that the House and the public may understand what are the real opinions of the Members of your Lordships' House. I confess, therefore, that it is with great unwillingness that I have determined to trouble your Lordships with a few words this evening, in order to advert to what has fallen from the noble Earl at the head of His Majesty's Government. It is far from my wish to impute to the noble Earl or his colleagues any desire to introduce revolutionary measures into Parliament; but I must say, that, having looked at the measure which has been brought into the other House of Parliament under their auspices, I cannot but consider that it will alter every interest existing in the country; that in consequence of its operation no interest will remain on the footing on which it now stands; and that this alteration must lead to a total change of men—I mean of men intrusted with the public confidence in Parliament. I am of opinion that this alteration must have a most serious effect on the public interests—an effect which I confess I cannot look at without the most serious apprehension. I do not charge the noble Earl and his colleagues with a desire to overturn the institutions of the country, but I cannot look at the alterations proposed by the Bill, without seeing that those alterations must be followed by a total change of men, and likewise by a total change of the whole system of Government. Why, I ask—for what reason is all this done? I will not now enter into the question of what is the opinion of the other House of Parliament, but I will say again, as I have said before, in the presence of your Lordships, that I see no reason whatever for altering the constitution of Parliament. It is my opinion that Parliament has well served the country, and that it well deserves the thanks of the country for a variety of measures which it has passed, particularly of late years. I see no reason for the measure now proposed, except the reason stated by the noble Earl, namely, his desire to gratify certain individuals in the country. It is possible that these individuals may be a very large body; it is possible, even, that they may be a majority of the population; but, however this may be, I have heard no other reason, except their gratification, for the introduction or adoption of this measure. Whilst I thus declare my sentiments, I beg

your Lordships to believe me when I say that I have no interest in the question beyond that which I share with every individual in the country. I possess no influence or interest of the description which will be destroyed by the measure now proposed ; but I am an individual who has served His Majesty for now nearly half a century—have been in His Majesty's service forty-nine years ; I have served His Majesty in stations of trust and confidence ; I have been in command of his armies ; I have been employed in embassies and councils for thirty eventful years of that period ; and the experience which I have acquired in the various situations which I have filled imposes on me the duty of saying to your Lordships that I cannot look at the measure which has been introduced into the other House, without the most serious apprehensions that from the period of the adoption of that measure will date the downfall of the constitution.

Petition laid on the table.

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*March 28, 1831.*

#### MINISTERIAL PLAN OF PARLIAMENTARY REFORM.

LORD WHARNCLIFFE, with the view of bringing under the notice of their Lordships the nature of the measure of Parliamentary Reform contemplated by the Government, moved for a variety of returns of the population, number of houses, &c., in Great Britain.

After a lengthened discussion, in which the chief speakers were EARL GREY, the EARL of ELDON, LORD DURHAM, LORD PLUNKETT, the LORD CHANCELLOR (Brougham),

*THE DUKE OF WELLINGTON* said :

My Lords, I must in the outset declare my opinion that up to the present moment I have heard nothing like an answer to the able address of my noble friend (Lord Wharncliffe) near me. I wished not to address your Lordships until I had heard the speech of the noble and learned Lord on the Woolsack. That noble and learned Lord has only done me justice in supposing that my opinions have undergone no change since the declaration I made to your Lordships at the opening of the Session. In my opinion, the state of the representation ought not to be changed. In my opinion, you can, on principle, no more deprive one of these boroughs of their franchise, without delinquency being

proved, than you can deprive me of my seat in this House, or of my title; or the noble and learned Lord on the Woolsack of his estate. The right in both cases is the same, and I contend that this argument has been held over and over again in this House, and will be held again, if the case of Liverpool should ever be brought forward. This House has always required proof of delinquency before it will consent to an act of disfranchisement. I admit that there are circumstances of necessity which will get rid of this strict letter of the law, as they will get rid of the strict letter of the law in other cases; but I contend that no circumstances of necessity upon this subject have, up to this moment, been made out. Even the eloquent speech of the noble and learned Lord has done nothing to establish it. At the close of his speech, indeed, the noble and learned Lord talked of the people who labor with the sweat of their brow, and who shed their blood in our armies; but, my Lords, please to bear in mind, that these are not the persons to whom this Bill gives the elective franchise—the elective franchise is given to altogether another class of persons. On all this the noble and learned Lord goes upon the principle of expediency as well as I do. But the noble and learned Lord, and his noble friend near him, have both left out of consideration, that it is the creation of a legislative assembly we are to look at, and not what the voters are to be—that we are to consider what a House of Commons ought to be, and not what the constituents ought to be. This, I contend, it is the duty of the Government to consider, in framing a measure of this kind. But I have not yet done with the matter of principle. The noble and learned Lord has admitted that he would have preferred to keep some of the rotten boroughs in the place of other boroughs; what, then, becomes of the noble and learned Lord's principle? The principle is at once given up here. Well, but I have said that we are to look more to the formation of a House of Commons than to the formation of an elective body upon the principle of population. Now, I think that the present House of Commons is as complete a one as can be formed. I contend that the House of Commons, particularly since the peace, has shown itself to be the most efficient legislative body in the world, without any exception. It has rendered more services than any other House of Commons during the same length of time. I contend that it has continued to render those services till the end of last Session;

that it was prepared to continue them still in this Session; and that in this purpose it is only interrupted by the introduction of the discussion of this subject of reform. I willingly refer to the opinion of the noble Marquis (Lansdowne) opposite, whom I always hear with great delight, whose opinions, I believe, do not much differ from my own, and who has said that, if he had to form a House of Commons, he would form one like the present, giving a large preponderance to property, and the most to landed property. The noble Earl opposite (Grey), too, in a speech which he made in 1817, admitted that the House of Commons is always ready to attend to the wishes of the people; he admitted this in a speech he made on presenting a petition to the House upon this very subject of reform. I must say, then, my Lords, that the opinion I gave at the commencement of this Session was not at variance with these opinions of the noble Earl and the noble Marquis. I will add, that I retain that opinion now, and I believe I shall entertain it till the last hour of my life—especially as it is an opinion which is borne out by almost all the eminent men who have spoken on the subject. But it is said, it had become necessary for the Government to propose some plan of reform in the representative system. Now, I must say here, that some observations which fell from the noble Lord the Privy Seal, and from the noble and learned Lord the Lord Chancellor of Ireland, were not quite correct as to facts; and upon those observations I feel myself bound to make some remarks. It is quite true, that, when the late Government brought forward the Catholic question, we were supported by many noble Lords who were generally in opposition to the then Government, while I had the misfortune, on that occasion, to lose the support and regard of a great number of friends, both here and in the other House of Parliament. That was a misfortune which I shall never cease to lament, yet I have the consolation of knowing that what I then did was no more than my public duty required of me. Believing, as I did, that civil war must be the consequence of continuing to refuse the settlement of that question, I think that I should have been wanting in my duty, both as a man and as a Minister, had I hesitated to give up my former views with regard to that measure. Certainly, the part I took on that occasion lost me the confidence of many of my former friends, while, on the other hand, noble Lords who supported me in that particular measure were not willing to lend

me the same support in the other measures which I thought necessary for the good of the country. Nevertheless, I thought I was bound to remain in the position I then occupied so long as I enjoyed the confidence of my Sovereign, and the support of the House of Commons. I might, I believe, have continued in that position, but the late revolution in France occurred at a critical period. Like former revolutions, such as those in Spain and Naples, it certainly did create a very great sensation in this country, and a strong desire was excited by speeches in various places, and by the spirit developed at the elections, for Parliamentary Reform—a desire more strong on the part of the people than had been displayed for many years with respect to any political object. But I did not then, nor do I now, think that desire irresistible: I do not say how the case may be should Parliament think proper to make the alterations demanded in our representative system; but should Parliament decide otherwise, I believe the country will in this, as in other instances, submit to the decision of Parliament. I admit that there has been a growing wish for Parliamentary Reform in the country, but I think that, if the question were fairly discussed in Parliament, and if, after a fair hearing of the case, Parliament should decide against it, the country would submit without a murmur. The fashion resulting from the example of French and Belgian revolutions has now subsided; people see the consequences of revolution to be distress and ruin; and my belief is, that, if Parliament in its wisdom were to decide that Reform is not to be carried, the country would submit to the decision. With respect to the question of the Civil List, I have heard it stated that there was no combination of parties against the late Government. I will not positively assert anything which I do not know to be fact; but certainly I always understood that there was something of a combination: it would be very extraordinary that all the gentlemen who usually attach themselves to a certain party should merely by accident concur in voting against Government. But however this may have been, I was defeated on the question of the Civil List; in short, the Government was placed in a minority. Upon this, finding that I had the misfortune no longer to enjoy the confidence of the House of Commons, I thought proper to resign the situation which I held in His Majesty's service. At that period, the question of Parliamentary Reform had no more to do, so far as I was concerned, with the

resignation which I tendered to His Majesty on the day following the defeat on the Civil List, than with anything else in the world. I admit, my Lords, that I resigned the next morning, because I did not wish to expose His Majesty and the country to the consequences which might result from the Government going out on the success of the question of Parliamentary Reform. That was the fact of the matter, but to say I resigned on account of Parliamentary Reform is wrong. I resigned upon the ground I have already stated, and I resigned at the particular moment when I did, because I did not choose to expose His Majesty and the country to the consequences that might ensue from the contingencies I have indicated. That is the real fact of the story. But the noble and learned Lord says that the late Government yielded the principle of Parliamentary Reform by their resignation; no such thing; they resigned because they did not possess the confidence of the House of Commons, and because they thought that the same majority which defeated them on Monday on the Civil List might defeat them on Tuesday on Reform; then, indeed, had they continued in office, they would have sacrificed (as the noble Lord says) the principle of Parliamentary Reform in the Commons. I did not think it worth while to make any further struggle, in order to retain office a day or two longer. I come now to the circumstance of the members of the present Government taking office, and I find the noble Earl stating, on the first opportunity after having acceded to office, the three principles of his Government, and these are,—Retrenchment, Peace, and Reform. As for retrenchment and peace, I maintain that there exists no difference between the noble Earl and myself. So far as I have heard, up to this moment the noble Earl has not found a single sixpence to be retrenched in the public expenditure; everything had already been done that could be done by the late Government to promote economy in all our establishments. With respect to peace, I hope the noble Earl has found things in such a train that he will be able to maintain peace with all the world. I will not say that some details have not occurred since my resignation, in which I cannot agree with the noble Earl; but sooner than put the noble Earl to the risk of any inconvenience with respect to subjects so delicate, I will not have a single question asked in relation to them, if I can help it, because no man desires more than I do the prosperity of the noble Earl's Government, not

from any peculiar attachment to the noble Earl himself, but from the love I bear to my country. Parliamentary Reform is the remaining question; for the introduction of this principle to Parliament, it would appear that Ministers have obtained the consent of His Majesty; certainly His Majesty's name has been used on the subject, but this, it may be said, has been frequently done by persons who were by no means authorized so to use it, and also upon occasions when it ought not to have been so used. It is true, then, that Ministers have the sanction of His Majesty to bring forward the question of Reform—perhaps this measure of Reform; but to say that His Majesty has taken a more active part in the matter than is implied in taking the advice of his Ministers, is not constitutional, and, such being the case, I will not consider any such assertion as being founded on fact. Having come to the measure, I ask your Lordships to consider what such a measure ought to be, and then to examine what the measure really is which has been brought forward by the Ministers. A measure of Parliamentary Reform, brought forward by Government, ought to be a measure that should enable Government to carry on the King's service in Parliament according to the constitution as it was established at the Revolution, and as it has since proceeded. How, I ask your Lordships, has the public service been carried on since the Revolution? By persons of talent, property, and knowledge—scientific, political, commercial, and manufacturing—men connected with, or representing, all the great interests of the country,—men noted for great abilities, who have on all occasions been a Conservative party in the State, and who have supported the power and the glory of the country in war, and have promoted her prosperity in peace during the last one hundred and forty years. If the country is to lose such a Parliament, Ministers are bound to see that their new system of election shall be such as will secure for the King's Government the support of this other Parliament, when formed upon the new principle. Look at the new system. My noble friend (Lord Wharncliffe) who addressed your Lordships earlier in the debate, stated, with great clearness, what will be the result of the Bill in certain respects: My noble friend stated, that throughout the towns of England and Wales many existing interests will be interfered with, and he also stated the effect of giving votes to 10*l*. householders for counties. My noble friend's statements well deserve your Lordships' attention.

I myself have examined the Bill with reference to its effects on the county of Southampton. In that county there are several towns—Winchester, Christchurch, Portsmouth, Southampton, and the borough of Lymington. Now, several boroughs in this county are struck out of the representation by the Bill, and there are, besides, a number of considerable towns left unrepresented; but the voters of these places are to come into the county constituency. According to the existing system, only freeholders have votes for the county, but, according to the new system, the inhabitants of these unrepresented towns will have votes for the county. Now, copyholders and 50*l.* leaseholders are to vote for the county. In the towns, these two classes are for the most part shopkeepers. I am convinced that there are not fewer than 4000 or 5000 such inhabitants of towns in Hampshire, who will come, under this Bill, to have votes for the county, as well as the freeholders. Now, of whom does this class of electors consist? As I have just stated, they are shopkeepers—respectable shopkeepers, no doubt—in the towns. Now, I beg to ask your Lordships, are these fit persons to be the only electors to return county members to a Parliament which is to govern the affairs of this great nation, consisting of many more than 100,000,000 of subjects, and so many various relations, foreign, domestic, colonial, commercial, and manufacturing? Men of the description I have mentioned, with their prejudices and peculiar interests, however respectable they may be as a body, cannot be fit to be the only electors of Members of the House of Commons. But I beg to say that, however respectable this or any other class of electors may be, there is a strong reason against any uniformity of system in the representation of the country. I have already heard of the establishment in this city of a Committee formed for the purpose of recommending candidates for the representation to the different towns throughout the country. Now, my Lords, considering the means of combination, and the facilities of communication which exist, I think such a body dangerous. Associations of a like kind have been found effectual in other countries to put down the Government. Is it fit to establish such a uniform system of election (I care not in whose hands it is placed), that any committee sitting in London can guide the determination of the entire country with respect to the representation? I want to know what security there will be for your Lordships' seats in that House of Commons, if such a com-



mittee exists, at the first general election of a Reformed Parliament. I was in France at the period when the law of elections was passed in 1817; at that period there were in each department 300 persons who, paying the highest amount of taxes, were chosen to manage the representation. The King and Government altered this, and gave the power of choosing representatives to persons paying taxes to the amount of 300 francs. Two years afterwards they were obliged to alter the law again, and form two classes of electors. Since then there have been two general elections, one more unfavorable than the other to the Government, and the matter ended in the formation of a Parliament, the spirit of which rendered it impossible for a Government to act. It is not my business, and I have no wish, to defend the late French Government; but I wish on this occasion to observe, that I never wrote to Prince Polignac in my life (much as I have been accused of encouraging the proceedings of that person), and that I never wrote to Charles X., except when that monarch lost his son, and when his grandson was born, until he came to this country. In fact, I never corresponded with any French minister without the knowledge of my colleagues. The noble and learned Lord on the Woolsack may rely on it that I have no more knowledge of Prince Polignac's proceedings than the noble and learned Lord himself, or, most probably, still less. I am not the apologist of Prince Polignac, but I must say that things had been brought to that state in France that it was impossible there should not be a revolution. When I see a similar mode of election recommended in this country—when I see the adoption of a uniform system of election—when I see the election placed in the hands of shopkeepers in towns and boroughs all over the country, I think that we must incur considerable danger, and put the country in that situation that no Minister can be certain that any one measure which he brings forward will succeed, or that he will be enabled to carry on the Government. The circumstances of France and England are in many particulars alike, and we ought to take warning by the dangers of the neighbouring country. I wish the House to advert to what the business of the King's Government in Parliament is. It is the duty of that Government to manage everything. I heard the noble and learned Lord on the Woolsack, in a speech of admirable eloquence and knowledge, propose a new judicial system at the commencement of the Session; but I maintain that it

would be impossible, in the event to which I refer, for the Government ultimately to decide on that question ; I tell the noble and learned Lord that, if a Parliament were constructed on the new plan, it would be too strong for Government. On that, and on many similar questions, also in matters affecting commerce and manufactures, Government would entirely depend upon Parliament. I want to know how Government is to carry any measure on the appointment of a new Parliament. There is a great question now before the House of Commons on the subject of tithes. Now, my Lords, a Government may submit to the will of a majority opposed to its own views on other questions, but on the question of Tithes and the Church its duty is clearly pointed out, the King's Coronation Oath, and the Acts of Union with Scotland and Ireland, guaranteeing the integrity of the Church establishment. But I want to know how Government is to maintain the safety of the Established Church, after placing Parliament on the footing proposed. I do not wish to carry this argument farther than it will safely go ; but I infer from everything I can see that the Government of the country could not be carried on as hitherto if this plan were adopted. In such an event, my Lords, we must alter the constitution. I do not say the Crown could not be preserved ; the King's power might be limited, and confined to the management of the Army, Navy, and so on ; but, my Lords, that would not be the English constitution ; the country could no longer go on as before ; it would not be the same England. Assuming that the concession of the Catholic question, and that the Union with Ireland, were great alterations, as the noble Lord stated, in the Constitution, still these were both resorted to on the principle of expediency, which was clearly made out. I cannot admit that the expediency of the present measure has been demonstrated. On the contrary, all experience warrants me in saying, that the present Legislature has answered its purposes remarkably well, and that there must arise great danger, if not irremediable mischief, from altering its composition. The great difference, therefore, between those departures from the Constitution and this present measure is, that they were warranted by expediency, and this is not. I regret to be compelled to differ from many of my political friends with respect to Reform, but duty obliges me to do so. I have no desire for anything, except to be useful for the service of the public, in any way

that may be required ; I have no personal reasons for communicating my opinions ; I speak them broadly and openly, with a view to the country's benefiting by their expression. I wish to God I could convince the noble Earl and his colleagues of the error into which they have fallen on the subject of Reform, convinced as I am that they will place the country in the greatest peril if they pass the Bill in its present shape.

Motion agreed to.

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*April 19, 1831.*

### THE CIVIL LIST.

In Committee on the Civil List proposed by Earl GREY,

*THE DUKE OF WELLINGTON* said :

It is, my Lords, far from my intention to offer any opposition to the Civil List to be granted to his Majesty. I think, however, that a sum should be granted to his Majesty to defray the expenses of the civil Government of this country, as well as of his household. It was a custom down to the time of George II. to grant to the King taxes upon certain articles for the purpose of enabling him to defray the expenses of the civil Government. The principle on which I drew up my plan of the Civil List was, to enable the Sovereign, so far as is practicable, to defray all the expenses necessary to be incurred in supporting the dignity and splendor of the Crown, without having them mixed up with the expenses of the civil Government. Certainly the Crown enjoyed great advantage in supporting its dignity and efficiency, so long as the system of supporting itself on its hereditary revenues remained in practice. That system was departed from at the commencement of the reign of George III. ; and a further departure from it has been made since, which, with your Lordships' permission, I will examine presently. From the accounts I have seen of the hereditary revenues enjoyed by George II., I have reason to believe that if they were now enjoyed by the Sovereign, and employed in defraying the civil expenses of the Government and the dignity and splendor of the Crown, they would be more than is necessary to meet those expenses, notwithstanding the increase which has been made in these by the augmented salaries of the

judges, the increased number of the public officers, and the vast increase of the Royal family. I believe that the hereditary revenues of the Crown, independent of its droits and its West India duties, amount to not less than 850,000*l.* per annum. I make this statement because it is important that your Lordships should recollect it, and that the public should know that, notwithstanding the expenses of the Sovereign are great, the Sovereign has as much right to the sum I have mentioned as any of your Lordships have to your estates. The system of giving to the Sovereign the amount of certain taxes for the support of the civil Government was first departed from in the reign of George III., when a fixed sum was appointed, instead of it, for his support. In process of time the expenses of the civil Government increased, and the Civil List became in debt. The consequence was that, in 1815, inquiry was made into the circumstances which had caused that increase of charges. What was the course then adopted by Parliament? It was to bring certain charges—as, for instance, the charge for ambassadors—under the annual vote of Parliament; and the object was to avoid thereby the fixing of any fresh debt, for which no estimate could be previously made, upon the Civil List. In 1820 it was determined that nothing should be brought before Parliament in connection with the Civil List that was not a casual expense, and for which a regular vote could not be submitted. The late Government, in presenting their Civil List, made a still further departure from the old plan; and upon this principle, whenever part of a salary was to be paid out of the Civil List and part out of the Consolidated Fund, it was resolved to pay all out of the Consolidated Fund. This course was adopted, my Lords, with regard to the salaries of the Lord Chancellor, the Judges, the Speaker of the House of Commons, and also of various other offices, some of which have been since then abolished. I must complain of the part of the present Bill which subjects the salaries of the great officers of State to the annual vote of the House of Commons. I am of opinion that some measure should be adopted to place them, at least, upon the Consolidated Fund, in order to prevent the possibility of the country being left without a proper and efficient administration of public affairs. I would not have the Government left to the chance of being impeded by a small majority in a Committee of the House of Commons, which, according to the proposed plan, might diminish the salaries of the

public officers at pleasure. At the period of the Revolution there were long discussions on the subject of the hereditary revenues of the Crown and the provision for the Sovereign, but no one ever dreamed of separating the Crown from the civil Government in making a provision for Royalty. The plan of separation, my Lords, is one of modern invention: I object to it altogether, because by possibility it may place the Crown in a situation such as it ought not to be placed in, by depriving it of the assistance of a public officer, whose salary might be lost by a single vote in a Committee of Supply. Further, I am of opinion that the repairs, alterations, and other expenses of the Royal residences, limited as they are to a certain sum, ought to be placed under the control of the Treasury, and not be left to the annual vote of the House of Commons. The noble Earl is mistaken in supposing that the saving upon Scotch and Irish pensions will amount to 4000*l.* a year: I can only make the amount of saving 2000*l.*

Earl GREY: I stated it at 2000*l.*

*THE DUKE OF WELLINGTON:*

I entirely agree with the noble Lord as to the propriety of abstaining from disturbing pensions, many of which have been well deserved, although a few may have been granted on insufficient grounds. Two pensions were, unsolicited by me, granted by his late Majesty to two near relations of mine, one after the battle of Salamanca, the other after that of Vittoria; and I must say that I felt deservedly proud of this favor graciously vouchsafed by my Sovereign. Parliament may take away such marks of approbation, but I never will consent to my relatives resigning them. I must repeat my expression of pain at seeing the expenses of the Sovereign detached entirely from those of the civil Government, and these left, in point of fact, entirely at the mercy of the chance of a single vote in a division of the House of Commons. One word with respect to the discontinuance of the office of Auditor of the Civil List: I assure the noble Lord that, unless he has some person in the Treasury to perform the duties of that office, the Civil List must get into debt. I must object also to the proposed reduction in the salaries of the great officers of the Government, and observe that, at the existing rate of salaries, unless a First Lord of the Treasury (and the remark will apply to other officers) possesses a large private fortune, he must be ruined in consequence of

the heavy expenses entailed on him by his situation, and the inadequacy of the sum allowed to meet those expenses. In proof of this, I may instance the cases of three Prime Ministers, Mr. Pitt, Mr. Perceval, and Mr. Canning, all of whom were ruined by being in office. I myself proposed a provision for the family of Mr. Canning in consequence. So much I have thought it right to say on the subject of the higher offices in the Government. With respect to some of the smaller offices, held by Members of the House of Commons, there are few in which, on gentlemen accepting them, it does not take the whole of the first year's salary to defray the expense of re-election, patents, and so on. How can it be pretended, when such is the case, both with respect to the higher and to the lower offices of Government, that the salaries of public men ought to be reduced? The Parliamentary business of the Government in the House of Commons is greater than can be at present performed by the members of Government; for instance, hardly a committee sits in which it is not desired to have a person connected with Government as chairman or member of it. Such being the case, I object to the reduction in the number of Government officers, the Vice-Treasurer of Ireland being one, as well as to the diminution of the salaries of office.

The Bill went through Committee.

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*June 24, 1831.*

## FOREIGN POLICY.

The Earl of ABERDEEN having required from the Government explanations of its foreign policy with regard to France, to Belgium, and more particularly with regard to Portugal, in connection with recent events at Terceira, and

Earl GREY having made a statement in reply,

**THE DUKE OF WELLINGTON** said:

It is not my intention to prolong the discussion unnecessarily, but I do not think the noble Earl at the head of his Majesty's Government has done my noble friend justice, or done justice to the late Government. My noble friend was perfectly consistent in joining in the unanimous vote on the Address the other evening, and in bringing forward the topics which he has this evening introduced to the House. There is nothing in what has fallen from my

noble friend this evening in any degree inconsistent with the vote he gave on the former evening. My noble friend admitted the correctness of the principles laid down with respect to the conferences ; he took a review of the leading topics introduced in the speech, and commented on them as he proceeded ; but while he concurred in the principles laid down, he warned, and properly warned, Ministers of the consequences of a departure from those principles in any future negotiations. There is, I repeat, nothing in this in any degree inconsistent with the vote which my noble friend gave on the Address. But the defence of the course taken by my noble friend was not the only object with which I rose. I am anxious to say a few words as to some topics which have been introduced by the noble Earl. The noble Earl complains of the difficulties of the Government as he found it on the retirement of the late Administration. Far be it from me to underrate any of the difficulties of office : all I mean to contend is, that those of which the noble Lord complains were not produced by the conduct of the late Ministry. They arose out of the events which have recently occurred in Europe, over which the British Ministry did not, and could not, exercise any control. They arose out of the events which had occurred in France and Belgium, and which, so far as I know, could not be controlled by any human being, unless by the Government of those countries. With the occurrence of these events, then, we had nothing to do ; and whatever may be their results, his Majesty's late servants cannot charge themselves with having applauded them. We foresaw the mischief they were likely to produce, and we acted on the plan on which, so far as I can see, the present Government now acts, and with considerable success. I would beg of your Lordships to consider what has been the policy of this country for the last hundred and fifty years. It has been to keep Belgium out of the possession of France. Such is the policy strenuously advocated by the noble Earl (Grey), and as strenuously by the noble Baron (Holland). My noble friend who conducted the foreign relations of the country at the conclusion of the general peace (the late Lord Londonderry) took the same view of this question ; and the whole of the negotiations which he entered into, and of the treaties he took such pains to conclude, had that object in view as necessary to the permanent repose of Europe. Consistently with this view in those negotiations he endeavored to strengthen Holland

by uniting it with Belgium, as a barrier towards that part of northern Europe. On this, as on one great basis, were the negotiations of the peace founded ; on this, in a great degree, that peace itself rested. And what was the consequence ? Why, that this country, with Europe generally, has enjoyed since 1814, with the short interval of war caused by the invasion of Napoleon, a longer period of peace than it has known almost for centuries. My Lords, that period of tranquillity was broken up by the events of July in France, and of August and September in Belgium. I do not seek to qualify my expressions with regard to those events. My conviction is, that the situation of the countries which those events affected was, at the time those events occurred, the best for the countries themselves, and the best adapted to preserve their internal tranquillity and to maintain the peace of Europe. The Government of England, however, could not prevent what happened ; and when his Majesty was called upon to interfere, so as to place things in the Netherlands in the same state as before, that Government declined the interference farther than to propose an armistice between the contending parties, for the purpose of seeing what could be done between them by mediation. The proposition was not wholly acceded to ; but I think that anything was better than a continued warfare between countries which had been so long united. I still adhere to the opinion that the former state of things would tend more to the security of Europe from war, than any other political arrangement that could be made. With respect to the negotiations that have been carried on for the settlement of Belgium, I approve of all the steps the noble Lord has taken to give that security to other powers which they have a right to require with respect to the state of Belgium. I give the noble Earl full credit for all he has done on this subject ; and I am ready to believe that he has acted in full accord with France and our other allies. Having done this so far, I entreat the noble Earl not to depart from the course he has hitherto pursued, but to persevere till the last moment to act in cordial alliance with France and our allies ; and the noble Earl may rely upon it that, whatever difficulties may arise, he will get the better of them, and will do himself and the country immortal honor. With respect to Portugal, the treaties which bind us to that country and our own interests lie in the same direction. It behoves his Majesty's Government to weigh the serious situation in which not only Portugal, but all Europe,



may be placed, if a proper course be not taken. They will do well to consider how important it is that all questions of disputed sovereignty should be put an end to without loss of time, more particularly this question relating to Don Miguel ; for if it causes the invasion of Portugal by France, the result will be to involve the whole Peninsula in one conflagration. Such an occurrence is to be deprecated at all times, but more particularly now, when Spain is in a state of complete tranquillity ; and, so far as I can understand, in a state also of prosperity. The question of the disputed succession of Don Miguel is no longer a question between this country and Brazil. Some time has elapsed since Don Pedro could assert the claims of his daughter ; and it is evident that he can now give no assistance, being in want of assistance himself, in placing her upon the throne of Portugal. Under all the circumstances of the case, I think it incumbent on us to endeavor to settle the question, and to take steps to get out of the difficulty in which we and our allies find ourselves placed with respect to Portugal. With this view, we should endeavor to bring Portugal once more into the society of nations, in order to render her available for the general purposes of Europe, if required. I do not wish the noble Earl to interfere unnecessarily between France and Portugal, but he ought, I repeat, to endeavor to bring Portugal back into the society of nations by acknowledging Don Miguel, and by inducing other nations to follow our example. I will, in conclusion, express the opinion that the state of things in the Western Isles is such as cannot be contemplated with satisfaction, and that considerable apprehensions must be entertained from its continuance.

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*July 4, 1831.*

#### LIEUTENANTS OF COUNTIES—IRELAND.

Viscount MELBOURNE moved the second reading of a Bill to substitute Lieutenants of Counties in Ireland for the existing Governors of Counties.

*THE DUKE OF WELLINGTON* said :

I entirely concur in the reasoning by which the noble Lord has supported the principle of the Bill. I am most willing to give the Lord-Lieutenant of Ireland all the assistance it is in the power of Parliament to give him, in order to enable that great officer to do his duty. I agree with the noble Lord in thinking that the

present system, according to which there are in some counties five, in others three, and in others two governors—there are very few in which there is only one—cannot by possibility work well. These officers act on no settled plan, and are sometimes in each other's way. Besides, many of these governors are absentees, and yet persist in retaining a power which they cannot properly use, refusing, as they do, to discharge the duties of their office by commission. On these grounds I am disposed to approve of the present measure. I had certainly, at first, looked upon the Bill with much jealousy, fearing lest it might have, as an ulterior object, the abolition of the office of Lord-Lieutenant of Ireland, which I know to be a subject on which strong opinions are entertained. I think that the greatest misfortune for this country which could happen in Ireland would be the removal of that great officer. In Ireland it is necessary to bring the Government, as it were, home to every man's door; it is necessary that Government should be on the spot to protect every individual—to be ever present and ever active to put down that bane of the country, the action and power of the demagogues. As I before said, I looked with jealousy on the Bill, and I still hope it is not intended to introduce officers whose power shall be such, that we may be hereafter told there is no necessity for a Lord-Lieutenant. Adverting more particularly to the Bill before your Lordships, I beg to observe that the office is military, and not judicial, as has been insinuated, and I object to have such military officers distributed over the counties of Ireland. At the same time, as I am ready to admit that there is no officer there exactly equivalent to the *Custos Rotulorum* of this country, there may be some expediency in the proposed appointment. There is, however, one point which requires explanation. The noble Lord (Melbourne) has omitted to state why the Lord-Lieutenant of the county should have the appointment of officers in the militia; I beg to state that I shall move a provision that the Lord-Lieutenants shall enjoy no power to the prejudice of the rights of militia colonels actually existing. Great sacrifices were made, and great expenses incurred, by persons holding this situation during the war, and it would be extremely unjust to legislate against them now. In conclusion, I will recommend that the office of Lord-Lieutenant of a county shall be held by a patent, during pleasure, and not for life.

Bill read a second time.

July 7, 1831.

In Committee on the Lieutenants of Counties, Ireland, Bill,

*THE DUKE OF WELLINGTON* said :

When this question was discussed on a former occasion, I was perfectly aware that there are Custodes Rotulorum in Ireland, and that many of these officers also hold the office of governors of counties. I was likewise aware that it is the practice in this country for the Custodes Rotulorum to recommend persons to serve as magistrates, to the Lord Chancellor. That practice originated in courtesy, and is now invariable, although, in fact, there is no law to enforce it. I understand the proposed system in Ireland is to be like that of England, and that the Lord-Lieutenants are to have the privilege of recommending magistrates in the same manner as in this country. The noble Lord, however, explained, on a former occasion, that it is not the intention to carry this into effect immediately, but to let the system be developed by degrees. Looking at the present list of Custodes Rotulorum in Ireland, I can say that I think them the fittest persons to be intrusted with this power. They must necessarily, from their superior local knowledge, be the best qualified to judge as to those to whom ought to be confided the magisterial duties. They are the parties, therefore, to whom the privilege of recommendation should be given. I must particularly direct the notice of Government to one point, as more essential, which is, that the persons intrusted with the power should be generally resident in Ireland. So important do I consider this point, that I should like an amendment to be introduced into the first clause of the Bill, enacting that no person exercising the power of recommending magistrates shall quit the country without the permission of the Lord-Lieutenant ; and that, even when such permission is given, such party shall not leave Ireland until he has appointed a deputy, subject to the approval of the Lord-Lieutenant, to act for him in his absence. The objection stated by my noble friend (Lord Londonderry), that the Bill will place the Lieutenant and the Custos Rotulorum at variance with each other, seems to me unfounded. If the Custos Rotulorum had ever been in the habit of appointing magistrates, such might indeed be the effect of the measure ; but these officers in Ireland have no more been in the habit of recommending magistrates to the Lord Chancellor than any other individual there resident, which I consider to have been

one of the great evils of Ireland. I have seen printed forms of letters, according to which a former Lord Chancellor required that applications should be made for the appointment of magistrates. These printed forms could be filled up by anybody; and as the Custodes Rotulorum in Ireland have never been in the habit of recommending magistrates, they cannot be placed in the situation which the noble Marquis supposes. But whatever changes are to be introduced, it is above all things necessary that the persons intrusted with the power of recommending magistrates should possess the confidence of the Government and of the country.

The Bill went through Committee.

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*July 26, 1831.*

#### POLICY OF THE KING OF THE FRENCH.

The Earl of ABERDEEN required from the Government explanations as to the conduct of the King of the French in sending a hostile fleet to the Tagus, and in demolishing the Belgian fortresses on the borders of France.

Earl GREY said that at the proper time he should be able to show that the policy pursued by His Majesty's Ministers, with regard both to Portugal and to Belgium, was alike conducive to the interest and to the honor of the country.

*THE DUKE OF WELLINGTON* said:

I do not rise, my Lords, to embarrass Ministers in their pending negotiations by a premature discussion of the subject-matter of those negotiations, but to set the Government of this country, and myself personally, right in the eyes of the public with respect to that part of the Speech of the King of the French which applies to Belgium. Your Lordships are aware that, by the Treaty of Peace of 1814, the kingdom of the Netherlands was erected, and guaranteed in its dependence; and you are, I believe, aware, that immediately after that treaty was ratified, it was arranged by the Ministers of His late Majesty, and the King of the Netherlands, that a barrier defence of fortresses should be erected on the frontier of Belgium towards France, at the expense of the two countries—that is, of England and of Holland. That defence was justly considered essential to the security of the north of Europe. By the subsequent Treaty of Paris, in 1815, the projected fortresses were approved of by the sovereigns of Austria,

Russia, and Prussia, who, moreover, contributed their just share of the expenses of their erection ; it being felt that all Europe had a common interest in the existence of such a barrier. By these means these fortresses became the common property of all the states which had assisted in their erection, that is, of England, Holland, Austria, Russia, and Prussia, and therefore cannot be disposed of or dismantled without the concurrent resolution of all five. France has no right, my Lords, to offer any suggestion with reference to them ; for it is as a protection against her possible military aggression that they have been erected. The fortresses were maintained on the footing I have specified, till the progress of the Revolution last year led to the dismemberment of the kingdom of the Netherlands, established and guaranteed by the Treaties of 1814 and 1815. The parties to these treaties are pledged to their maintenance ; and as the peace of Europe is involved in the matter, the great Powers, parties to the treaties, had no alternative save the conferences held in London, in which the assistance of the French Government to preserve the general peace was naturally taken advantage of. So far I see no matter for blame ; and I cannot deny that the preservation of the peace of Europe might have required the separation of Holland and Belgium, and the establishment of a new dynasty in this latter kingdom. I will moreover admit, that no single Government has a right to guarantee to the King of Belgium the maintenance of the defence erected for the King of the Netherlands, and that any arrangement on this head should emanate from the original guaranteeing parties. But still I will maintain, that the last Government which ought to make the Belgian fortresses a matter of complaint, or even the subject of any suggestion not contemplated by the Allied Powers I have mentioned, is the Government of France. Nay, more, if these fortresses were meant to be what the French King termed them in his Speech, and which I in the most unqualified manner repudiate, namely, fortresses ‘raised to menace France, and not to protect Belgium,’ I will maintain that the proposition to raze all or any of them ought not to emanate from the French Government. It was not as a menace to France, but as a defence to the north of Europe against French aggressions, that these fortresses were originally erected ; and if the declaration of the Allied Powers to guarantee the independence of Belgium could satisfy that country, *à fortiori*, it

ought to satisfy France, which alone has no right to call upon other states to effect the demolition of the barrier. The King of Belgium might, if he so thought fit, declare that the expense of all his garrisons on his frontiers would press too heavily on the resources of his kingdom, and the other Powers, parties to the erection of the fortresses—that is, I repeat, to prevent mistake, England, Holland, Austria, Russia, and Prussia—might interpose; but the reason that would authorize their interference, entirely shuts out France from any participation in it. I am therefore rejoiced to find that four of the great Powers—the original parties to the treaty—have alone considered the question of the expediency of dismantling some of the fortresses, and that France has had no share whatever in the transaction. Indeed, the only regret I have on this head is, that Holland, the fifth party to the original treaty, was not also consulted in the protocol read by the noble Earl. I repeat that the Belgian fortresses were originally designed as a barrier of defence for the north of Europe, and, therefore, to remove them would be to expose Belgium and the continent of Europe to French aggression. It is absurd to talk of a ‘guarantee of neutrality’ being a security for the independence of the new kingdom. Those who annexed Belgium to Holland in 1814 knew there could be no permanent guarantee, save what the means of warlike resistance afforded, and therefore they assisted in erecting the frontier fortresses; if the Netherlands, the two kingdoms, required this barrier of defence, still more would the new kingdom, the smaller and weaker, require every external and internal security. These, my Lords, are my views, deliberately formed, of the proposed demolition—views which I am most anxious to state somewhat at length, and thus to relieve the country and myself, having been a party to the original treaties, from the imputations cast on us by the French King’s speech,—that the fortresses were erected with any other view than as a means of defence against the aggressions of France, and not as a menace of aggression on that country. The next point I wish to call the attention of the House to is, the present relations of Portugal with this country and France. I must confess, my Lords, that I listened to the imperfect observations of the noble Earl on this point with concern. I expected something more satisfactory respecting a country so long and closely allied to us as is Portugal. When I had read that passage

of the Speech of the King of the French, in which he triumphantly boasted that the Portuguese ships of war were then in his power, and that the tri-colored flag floated under the walls of Lisbon, I felt my cheek tinge with shame, as an English subject, that our most ancient and intimate ally should be so treated with our permission. I do not say this in my military capacity, from having served as an officer in the army of Portugal. The deeds—the glorious deeds, of the British army in Portugal are now the imperishable subject of history. But as an Englishman who had read the history of his country, I felt regret and shame—indeed, I will say, something like indignation—that the English Ministry had taken no active steps towards averting the recent calamity from the unfortunate country which has been connected with us by so many ties through a long series of years. On a former occasion, my Lords, I expressed a hope that Ministers would interfere, as England is the most ancient and trusted ally of Portugal, in restoring an amicable intercourse between the Portuguese and the French Governments; and that they would, on the one hand, urge on the French Government that the trifling circumstance—for trifling it is as compared with the resentment displayed—of two individuals being treated harshly by the legal authorities in the north of Portugal, which, after all, is the sum and substance of the alleged grievance, is not worth the mere expense of the expedition which they had sent to obtain redress, wholly apart from the consideration that their insisting, by force, to extort that redress was fraught with danger to good order and the social repose of Europe, and could not but be viewed with angry jealousy, particularly by the people of this country. And, on the other hand, my Lords, I thought that Ministers should have remonstrated with our ancient ally, and urged the expediency of her at once granting the French just compensation for the grievance complained of, and so saved Portugal from her present disorders. I say, my Lords, that the Ministers of this country ought so to have acted by an ally, not only the most ancient we possess, but the most ancient possessed by any country in the world. From that alliance Portugal has hitherto derived great advantages; among others, the advantage of having been saved three or four times within our recollection, by the prowess of British arms, which there fought the battles of Europe, and obtained many honorable triumphs. Now, however, a very different result is

accruing to that country from her faith in our alliance, as is too manifest in the indifference with which we permitted her enemy, who was also for so many years the enemy of England, to take forcible possession of her. It is true that the noble Earl does not pretend to justify our non-interference by the circumstance that Don Miguel's Government has not yet been formally recognized by us; for the noble Earl has avowed the principle that this recognition could not affect the treaty which binds us to interfere in certain cases of foreign aggression towards Portugal, by appealing to that treaty as the ground for demanding redress from Don Miguel, in a recent case of injustice and oppression against a British subject. Policy, moreover, just now urges the expediency of our taking an anxious interest in the integrity of the Portuguese dominions, which is, take the whole matter together, of more importance to us than any other state in Europe. I know, indeed, or rather I infer, that such is not the view taken of our intercourse with that country by Ministers; otherwise I cannot account for the Bill now in progress in the other House of Parliament, for putting an end altogether, and, as it should seem, for ever, to all the benefits which Portugal derives from her commercial intercourse with this country. And what, let me ask, what will be the inevitable result of such a proceeding? Neither more nor less, my Lords, than the dissolving the attachment of the Portuguese people to the British alliance. And, in such a state of things, what is more probable than that, when France makes her demands for compensation from her prostrate enemy, and sets its submission to French supremacy as the price of her forbearing to enforce those demands with her cannon—what more probable, I ask, than that Portugal should say to herself, 'We have been abandoned by an ancient ally, in whom we ever placed confidence; she has not only permitted us to be attacked and defeated in our chief harbour, but she has deprived us of all the commercial advantages which we derived from our alliance with her: therefore, we have no other resource but to throw ourselves upon the humane protection of our triumphant enemy?' It is needless for me to point out to your Lordships what eager friends and protectors they would at this moment meet with in the French. I am sorry to have been obliged to say as much as I have on this painful topic. I assure your Lordships that the late misfortune which has befallen Portugal has occa-



sioned me more poignant concern than any public event which has happened for some years.

Conversation dropped.

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*August 5, 1831.*

### AFFAIRS OF PORTUGAL.

The Earl of ABERDEEN, in a lengthened address, brought under the notice of the House the outrages committed upon British subjects at the Azores, by the piratical Regency at Terceira, composed of creatures of the Emperor of Brazil, and the blockade of Lisbon by French vessels of war.

Earl GREY, in his reply, observed upon the extremely discursive nature of the noble Earl's speech, and reminded him that he himself had formerly admitted Don Miguel to be an usurper.


#### *THE DUKE OF WELLINGTON:*

I cannot, my Lords, but think that the censure cast upon my noble friend (the Earl of Aberdeen), for the manner in which he introduced his motion, is unfounded. It was impossible for my noble friend to make out the case, which he has so completely made out, without entering into the whole history of the unfortunate events which have occurred in Portugal. My noble friend said that he entertained suspicions—suspicions which, certainly, in my opinion also, are well founded—that the French expedition had an object ulterior to the mere demand of reparation. Your Lordships all know what is passing in Paris; and my noble friend has quoted one of those authorities which, I am afraid, weigh too much with the Governments of both France and England—I mean one of the newspapers of Paris. I must do the noble Earl at the head of the Government the justice to say, that the same document which has given the information alluded to by my noble friend, also states that the noble Earl opposite had endeavoured to prevent these demands being made by the French Government. It was positively stated in one of the French newspapers, that the French Admiral was instructed, as his second object, to inquire whether there was any prospect of revolutionizing Portugal; that he found there was not, and that he therefore desisted. This is the substance of the intelligence contained in this document; and yet it is said that there is no reason to infer that the French had any design to bring about

a revolution in that country. I will do the noble Earl the justice to say, that I believe the Government here did endeavor to prevent the interference that has taken place, and of which there is proof in the demand that Fort St. Julian should be given up; and yet it is said, 'Oh, you must not refer to any such designs having been entertained.' Again, my noble friend has been taunted because in former debates in this House he spoke severely of the conduct of the King of Portugal. I do not mean to deny that he did so; but what I wish to know is, are we not to protect Portugal against this revolutionary invasion, merely because my noble friend once disapproved of the course pursued by the King of Portugal? The great blame against this Government is, after all, not so much the neglecting to interfere to prevent this invasion, but the not having placed Portugal previously in such a position that no such circumstance could have taken place. I think the noble Earl had no reason to find fault with my noble friend for what he stated respecting the conduct of Government as to the Emperor of Brazil. In this country, and so long as the Emperor of Brazil remains in this country, I can never regard him otherwise than as an individual; I shall regard him, of course, as a member of a distinguished family—as one who has held a high station—but still as an individual, who has no more right than any other to violate the laws of this country. He is no more at liberty than is any one else to occupy himself, while in this country, with planning expeditions to the Azores, or from one island to another. I do not mean to insinuate that the King's Ministers have been any parties to this affair; but yet, from the various speeches which some of them have delivered in this House, I must say that they have at least given grounds for a suspicion that they had mixed themselves up with such proceedings, whether they have done so or not. Of this, at least, I feel perfectly assured, that it would ill become the Ministers of King William IV.—a monarch bred up in the navy—to advise their royal master to make use of any ships but his own for war-like purposes. Should it, unhappily, become necessary for our gracious Sovereign to adopt any hostile proceedings, it would be most unfaithful, indeed, to recommend him to carry them on in any mean, shuffling manner, through the agency of the ships, or the arms, of the subjects of another state. Therefore it is that my noble friend, and the noble Lords on this side of the House,

have a right to inquire what course has been taken in reference to the transactions in the western islands,—what has been done to prevent the invasion of St. George's Island, and what has been done respecting the seizures effected under the directions of the regency of Terceira? and, further, whether Ministers have demanded compensation for the injury done to the property of British subjects—have demanded and obtained that compensation in the same manner as in the case of the Portuguese Government in Lisbon? It is, of course, no part of the duty or the business of this country to interfere between one branch of the House of Braganza and another; but surely we are bound by treaties to prevent any further invasion of the rights and independence of that part of the Portuguese territory to which I have alluded, namely, Terceira. It appears to me necessary to preserve the relations between Portugal and this country on the ground of policy. The situation of the Azores islands is of great consequence. If a piratical power were seated there, I need not point out to your Lordships how much the commercial interests of this country would suffer, for the ships which pass them are exceedingly numerous. Your Lordships may rely upon it, that, if we allow the occupation of those islands by a power such as I have designated, it will become necessary to employ a British force, for nothing but a British force could effect it, to take possession of them. I think, then, that my noble friend who has asked for information<sup>a</sup> has established a case. What he wants, and what we want, is the official information, which must have been received, as to the seizure of vessels at Terceira, and the forcible hire of them. If, however, that information cannot be conveniently given, I, for one, will not insist upon that part of the motion, being as unwilling as any one to embarrass his Majesty's Ministers by the production of papers that may prove injurious. Upon a review of the whole subject, I must say I think my noble friend has acted with candor and fairness in bringing forward his motion. It is the duty of his Majesty's Ministers to take care and prevent Portugal from falling into the hands of parties over whom they have no control, and whom they cannot prevent from sowing revolutionary measures, calculated to prove so baneful to its own interests, and to the interests of this country.

Motion negatived.



*August 9, 1831.*

### BELGIAN NEGOCIATIONS.

The Marquis of LONDONDERRY, in a speech condemnatory of the adverse interference of France in the affairs of Portugal and Belgium, moved for the production of papers relating to the negotiations between Belgium, Holland, and England on the subject.

Earl GREY repeated his former statement, that, when the proper time came, he should be fully prepared to justify the policy of His Majesty's Ministers.

*THE DUKE OF WELLINGTON* said :

I do not rise to throw any obstacles in the way of Ministers in their present negotiations, but to offer a few words in explanation of the part taken by the King of the Netherlands in the recent transactions, which not only involve the honor and interests of that monarch, but also, as it appears to me, those of this country. What I have to complain of, as the main result of these transactions, is that we have through them lost that influence over the Government of the Netherlands which it has been the endeavor hitherto of all British statesmen to obtain and preserve ; and what I have to contend is, that all the mischievous consequences which have followed to the King of the Netherlands, our ancient ally, from these transactions, are the result of this lost influence on the part of England. The kingdom of the Netherlands was, as I explained on a former occasion, established by the treaties of 1814 and 1815, the parties to which alone had the right of determining the expediency of separating that kingdom into those of Holland and of Belgium, as at present settled. When that separation had been agreed upon by the Allied Powers, parties to the treaties of 1814 and 1815, the terms of an armistice were laid down between Holland and Belgium, in which, by implication, the duchy of Luxemburg was guaranteed to the King of the Netherlands. Now, my Lords, I maintain that the conditions of that armistice have not, even yet, been faithfully observed by the mediating parties, and that, so far as it has been acted upon, it has been acted upon to the prejudice of the King of the Netherlands. It is true that Holland and Belgium were bound, by the five Allied Powers, to suspend the hostilities at the time threatened between them ; but it is equally true that it is impossible to arrive at a sound opinion on the part which the King of the Netherlands has taken in breaking that armistice,

without bringing into account all the transactions subsequent to its original promulgation, and up to the period of the appointment of the new King of Belgium. The armistice was followed up by the conferences at London, which ended in the determination that, as it was impossible to bring two hostile portions of the kingdom of the Netherlands back into friendly union under one government, the five Allied Powers should apply themselves to effecting the separation of these two portions into the respective kingdoms of Holland and Belgium. I, in common with your Lordships, view that separation as, perhaps, unavoidable; at least, I consider that the reunion of the two separated kingdoms under one monarchy is hardly practicable. This, however, is not the matter at issue. What I wish to call your Lordships' attention to is, that in effecting the separation the interests of Holland were wholly overlooked by the English Ministry. I believe, in the first place, that the basis of the separation was not formally communicated to the Dutch Government. I cannot take it upon myself to state this as a fact positively, but I will say that I have no doubt that the noble Lord (Ponsonby) who acted as the agent to the parties in the conferences at London did not make the communication as soon as he might have done. When that noble Lord first repaired, in his capacity of agent, to Brussels, so far from communicating the record of the arrangements which had been concluded by the five Allied Powers, with respect to Holland and Belgium, to the Dutch Government, he returned for instructions as to whether he should, or should not—having already announced it to the Provisional Government at Brussels—also communicate its purport to the King of the Netherlands; and he was sent back with instructions in the affirmative. In consequence of these instructions the noble Lord addressed a letter to the Dutch Government, in which, as it should seem, on his own responsibility, he gave up one of the most important topics in the original record of the basis of the separation,—that, namely, which guaranteed to the King of the Netherlands the possession of the duchy of Luxemburg. This very important omission gave, of course, rise to just complaints on the part of the King of Holland. That monarch found, first, that the five Allied Powers agreed to a certain basis of separation of the northern and southern portions of his dominions into two independent states, according to which basis he was to be secured the possession of his duchy of Lux-

emburg ; and next he found that, instead of their accredited agent communicating to him the record of this basis, to which it is more than probable that he would have at once assented, he announced the separation in terms of which the retention of this duchy formed no part—nay, in which it was laid down that he was to forfeit that portion of his dominions also. Finding these things, the King of the Netherlands complained, and most justly, and especially did he complain that the British Government had acted thus towards an ancient ally, with whom it has been our policy to cultivate amicable relations for the last 150 years. I wish to make your Lordships fully aware of the importance of this view of that monarch's conduct, and the rather as France was a party to the arrangements, and that an English nobleman was the agent of the conference which has thus acted so partially, and inconsistently, and unjustly towards the King of Holland,—features in the transactions which wholly forbid me to sit silent in this debate. My Lords, I fear that public opinion will not hesitate to declare, that, in furthering the settlement of the new kingdom of Belgium, England has abandoned the interests of her ancient ally the King of Holland. It has long been, I repeat, the anxious policy of this country to cultivate the most friendly intercourse with that monarch, and to secure the integrity of his territory against the encroachments of France. It is the established interest of England, no less than of Holland, that Belgium should be beyond the control and influence of the French Government, and yet Ministers set these interests at nought, or, rather, abandon them in favour of Belgium. It is our interest not to let the French troops overrun Belgium, as they no doubt will do—if they have not done so already ; and it is no valid justification of the injury to our national interests, that they have done this in pursuance of a treaty, to which we also are a party, for maintaining the integrity of the new kingdom of Belgium. I ask, what business had we to guarantee this integrity at the expense of Holland ? None whatever ; nay, more,—our only business ought to have been to guarantee the integrity of Holland against Belgium and other states. I would have your Lordships consider, also, how the interests of the King of Holland have been abandoned in the eighteen preliminary articles referred to by my noble friend. In the original basis of separation, as I have already pointed out, the King of Holland was guaranteed the duchy of Luxemburg. His

Majesty was willing to abide by that basis. In the mean time, however, the new King of Belgium had stepped in, and sworn to the maintenance of the constitution which the Allied Powers had drawn up, of which constitution the annexation of the duchy of Luxemburg to the new kingdom was a fundamental arrangement. Now, my Lords, I repeat that the King of Holland has just ground of complaint against this country, and the other parties to the articles—articles in favour of a newly-elected king, whom no power in Europe has as yet recognised, except the Kings of France and of England. Is it therefore surprising that the King of the Netherlands should complain of his interests being thus abandoned by us? Or is it surprising that we have, in fact, lost our influence over the Dutch Government? Can it be expected that we should retain the good will of a state whose interests we have thus disregarded? I will not now enter upon a discussion of the question involved in the breaking of the armistice by the King of the Netherlands, further than to beg your Lordships' attention to the provocation which that monarch had received before he proceeded to extremities, and to the decisive effort he had beforehand made to avert them; and, above all, to the strange conduct of our Ministers with respect to that effort. After the King of Holland had received the communication of the terms upon which the Allied Powers had agreed to the separation of Holland and Belgium, he forwarded a despatch to the British Government, in which he distinctly stated that he would endeavor to maintain the original basis of the separation, *par ses moyens militaires*, an expression too plain to be mistaken. Now, this letter was delivered at the Foreign Office by M. Zuylen de Nyevelt on Wednesday at twelve o'clock; but, strange to say, it was not opened by the noble Foreign Secretary till next day; that is to say, a letter containing this most important intimation was not opened until it was too late to prevent the mischief it was intended to warn our Government was likely to ensue. This it is essential to bear in mind; for, I maintain, had that letter been, as it ought to have been, opened on its arrival at the Foreign Office, there would have been sufficient time to prevent the march of the French troops across the Belgian frontier, and that of the Dutch troops across their own frontier, if, indeed, they have even yet, which I doubt, crossed that frontier. I am anxious to obtain information with respect to the delay in open-

ing this important communication, and I hope it will be satisfactory.

Motion withdrawn.

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*August 11, 1831.*

COAL DUTIES REPEAL BILL.

On the motion that this Bill be read a third time,

*THE DUKE OF WELLINGTON* said :

My Lords, I conceive that no question could well require more attentive consideration than the subject of this Bill. It requires a great deal of explanation before your Lordships ought to consent to it. Some of the clauses, particularly those repealing the additional duties on barilla and soda, are objectionable, and on them I wish for more specific information. The object, however, of the bill, is to repeal the duty on coals carried coastwise ; but, anxious as I am for the abolition of such a duty, I doubt whether the state of the revenue can at present allow of the reduction ; for, if the financial circumstances of the country were inquired into, I am firmly persuaded it would appear that our receipts are hardly adequate to meet our expenditure. I think that the local taxes on coal, such as exist at Brighton, ought to be repealed, and that every obstruction which impedes this trade elsewhere should be taken off, before the Government duty is removed. It is my opinion that the noble Earl should have begun by putting an end to all the abuses of the coal trade in the city of London, which are now as rife as they ever have been. I am aware, indeed, that some resolutions have been adopted by the House of Commons on this subject, and some progress has been made in a Bill to remedy these abuses, but, as long as the local tax exists, there must be abuses, and there must be, in consequence of those abuses, a high price of coal. As a proof of that position, I will merely remark that, though there has been a reduction of 6s. in the duty on every chaldron of coals since March last, the price of coals in the port of London is quite as high now as it was before the duty was repealed. The late Ministers intended to put a stop to the abuses in the port of London, and for that purpose it was their determination to put a tax on the coal



at the time of its export from the north of England. By such an arrangement the public would derive some benefit from the reduction of duty, whereas, at present, they derive no benefit, whilst the Treasury loses a considerable revenue. The duty, also, on the export of coal, has been reduced; but that reduction in England has been followed by the imposition of an equal duty on its importation into Holland, and I do not suppose that any person will represent that reduction as a boon granted to the coalowner, whatever it may be to the King of Holland. To make these remarks is not, however, the principal reason for my troubling your Lordships on this occasion; I wish rather to call your attention to this fact,—that these measures of the reduction of duty have been carried into effect by virtue of the prerogative of the Crown, under the authority of two votes of the House of Commons, of which the first was passed in December, and the second in March last—the constitutional rights of your Lordships to give your opinion on the repeal of these taxes being entirely passed by. This act of the prerogative—or rather, I should say, this illegal act—has been aggravated by the dissolution of Parliament, for then the authority of the House of Commons was gone; and yet these duties have been repealed, though there is no authority whatever for that measure, except an order from the servants of the Crown at the head of the Treasury; they have thus taken on themselves the authority of the whole Legislature. I do not mean to assert that the dissolution of Parliament might not be necessary—all that I mean to ask the noble Lords is this: ‘Are they prepared to assert that it was necessary, on the very day when his Majesty came down to that House, to put an end to its existence?’ Could they not have allowed Parliament to have sat for a few days longer, until they had got from it a constitutional authority for what they have done. Having advised his Majesty to put an end to this tax, I think that they might have advised his Majesty to abstain from the exercise of his prerogative for that short time, which would have enabled the two Houses of Parliament to give a legal sanction to the acts which they were about to adopt. For this reason I have called the attention of your Lordships to the course which has been followed,—first, because I believe it to be unconstitutional; secondly, because I consider it to have been aggravated by the dissolution of Parliament; and lastly, because, if it were continued under the new Constitution, it would put an end to the

privileges of your Lordships, and render your House of no use. I think it necessary to make these observations, but I do not mean to oppose the Bill.

Bill read a third time.

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*August 15, 1831.*

BEER ACT AMENDMENT BILL.

On the motion that this Bill be read a second time,

*THE DUKE OF WELLINGTON* said:

I beg to throw it out for your Lordships' consideration whether it will not be proper that the hours for these houses to be open ought to be restricted to the usual hours of labor, and that none of them should be allowed to be open beyond four o'clock in the winter time, and six o'clock in the summer. My object in this is to prevent tippling in these beer-houses after the hours of work. I fear these beer-houses have a bad effect on the morals of the people, by encouraging tippling at an unseasonable time.

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*August 18, 1831.*

In Committee on this Bill,

*THE DUKE OF WELLINGTON* said:

I think there should be a clause for preventing the beer-houses from being kept open at unseasonable hours. The object of the Legislature is to give to the poor the advantage of good and cheap beer, but without holding out any temptation to excess and irregularity. The sale of beer might go on to a certain hour, but beer ought not to be drunk at a late hour on the premises. I apprehend, indeed, that we shall have to make still further amendments in the Act, for the police regulations have not answered. At the same time, I think the Act, on the whole, has been a great benefit. It has destroyed the monopoly of the brewers, and given the public the full advantage of the repeal of the duty.

Amendment withdrawn.

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*August 29, 1831.*

### FRENCH TROOPS IN BELGIUM.

The Marquis of LONDONDERRY, in moving for an account of the expenses of erecting the fortresses on the frontiers of Belgium and Holland, remarked on the continued presence of the French troops in Belgium.

Earl GREY censured the noble Marquis for thus continually bringing forward a subject on which His Majesty's Ministers were not, as had been twice before stated, yet in a position to make their explanations. As to the fortress of Courtrai, which the noble Marquis complained was to be, among others, demolished, there was no fortress there at all.

*THE DUKE OF WELLINGTON* said:

I can certainly confirm one part of the statement of the noble Earl: there is no fortress at Courtrai. As to myself, I am the officer employed by his late Majesty to superintend the erecting and maintaining of these fortresses on the part of this country, and I have continued in the discharge of this duty up to the present moment. It is therefore the duty of the noble Earl, as the head Minister of his present Majesty's Government, to apply to me, as the officer intrusted with the superintendence of these fortresses, and to call upon me for such information as I can give on the subject, and it is my duty to wait on the noble Earl, and to give him all the information in my power. I have accordingly attended on the noble Earl, and have given him all the information I could. But it was not altogether for the sake of giving this explanation that I obtruded myself on the attention of the House on this occasion. I am anxious to say a few words upon some other topics that have been touched upon, particularly on that of the occupation of the Belgic territory by the French army. I am bound to believe that the King of France intends to do his duty; I am bound to believe this, as he is not only on terms of friendship, but, I may say, in alliance with our own Sovereign. But it has been said that King Leopold has requested the King of France to leave a portion of the French army in Belgium. I call him King Leopold because he is King of Belgium, and ought so to be called in this House, having been recognized as such by this country. But if King Leopold has called upon the King of France to leave a portion of the French army in Belgium, amounting to 10,000 or 12,000 men, that is no ground for leaving them there, nor will the King of France be justified in complying with

Earl GREY, in defending the Government, complained of the manner in which the noble Earl had introduced an immense variety of political topics under cover of a commercial petition.

*THE DUKE OF WELLINGTON* said :

I hardly think it necessary to justify my noble friend for the course which he has taken in presenting the petition, because the petition relates specifically to British interests as connected with Portugal, and to the interruptions to which, as the petitioners state, those interests are subject in consequence of the existing state of our relations with that power. I am ready to admit that the persons who have signed this petition feel deeply on the subject, but the noble Earl opposite is mistaken in supposing that they are interested in behalf of the person of the Prince who sits on the throne of Portugal. The noble Earl is also mistaken as to the number of the petitioners being only sixteen, and those of little importance in this great city. The fact is, that there are forty-two signatures attached to the petition, and, if your Lordships will read the names, you will find that some of the petitioners are leading merchants in London, and every one of them interested in the trade with Portugal. I think that the topics to which my noble friend has alluded are precisely those upon which he ought to have addressed your Lordships in calling your attention to the particular petition which has been presented. There is, however, one subject which my noble friend has deferred to another occasion, namely, that which regards the wine trade of Portugal. My noble friend might have told your Lordships that in this question of the wine trade, not only Portugal, but the whole of the Peninsula and the powers of Germany and Italy, are interested. The noble Lord opposite has thought proper, in order to favor France, whose trade with this country does not equal one-fifth of the trade with Portugal, to put the wines of the Peninsula and the rest of Europe on the same footing with those of France ; that is to say, in order to favor France, a country which desires to have no intercourse with Great Britain, except for her own advantage, Ministers have resolved to put down the trade of Portugal, and to discourage the trade of Spain and all the rest of Europe. My noble friend did not touch on this point, because he did not wish to occupy the attention of your Lordships ; but if he had done so, he might still further have shown the partiality of the noble Lords opposite for France, and their prejudice against Portugal. My noble friend,

but the system of interference is altogether wrong, although particular circumstances may justify occasional exceptions. For instance, there may be cases in which the occupation of a country by foreign troops may be justified, as in the case of France, in which an army of occupation remained for some time after the last war. But there the occupation was by the armies of eight Powers, and not by the army of any one Power; and care was taken that the Powers more immediately bordering on France should have no troops in that country. There were no Spanish troops, no Sardinian troops, and no Netherland troops in the army of occupation left in France. Then came the occupation of Naples by the Austrian troops, and afterwards that of Spain by the French troops, against both of which this country protested. I cannot speak particularly as to the remonstrances made by this country against the occupation of Naples by the Austrians; but I may refer to the correspondence on the subject of the occupation of Spain by the French troops, and there it may be found that this country strongly remonstrated against it, and intimated to the King of Spain that, if the occupation of the country by the French troops was continued much longer, the British ambassador would be withdrawn from Madrid. Then came the occupation of Portugal by our own troops in 1827, and it is well known that this occupation ceased immediately that the necessity for it ceased. I mention these things in order to call to the recollection of the parties concerned what has been the principle acted upon by this country and other Powers on recent occasions similar to the present. It might have been justifiable in the King of France to send French troops to Belgium, at the request of the Belgian sovereign, in order to repulse the Dutch from the country. But the moment the Dutch troops had retired, the French troops ought to have remained in the country no longer.

Motion agreed to.

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*September 5, 1831.*

#### COMMERCIAL RELATIONS WITH PORTUGAL.

The Earl of ABERDEEN, in presenting a petition from British merchants and others, complaining of the injury done to them by the conduct of the piratical Regency occupying the Azores in the name of Don Pedro, renewed his protest against the policy of the British Government towards Portugal.

exist *de facto*. On the 11th of July the French Admiral wrote word that France, 'always generous,' added nothing to these terms, except compensation to those who had suffered by hostilities, when in fact the only persons who had suffered were two sailors who had been hurt by the explosion of a ship. On the 12th the terms were agreed to, and on that day the demand was made for the surrender of the Portuguese fleet. Now I am not able exactly to say whether, according to the law of nations, there existed war between the morning of the 10th of July and the day on which Portugal accepted the conditions ; but of this I am certain, that after the 11th, when the offer was made of the terms on which peace was finally arranged, no hostility existed. That is quite clear from the whole of the transactions. But in the course of the correspondence another very curious fact is brought out with respect to the shipping. The Portuguese shipping were not the first to fire on the French fleet ; the French fleet fired on the shipping. The Portuguese then fired on the French fleet, after having been fired on, and then struck their colors and hoisted those of France. The shipping, however, were not taken possession of at the moment, though they were afterwards surrendered on the demand of the French. Now, considering that the terms which were accepted were offered on the 11th, and that no hostility had taken place after that day—that hostilities had not commenced at all on the part of the Portuguese fleet, but on the part of the French—I very much doubt whether the opinion of the King's Advocate is worth so much as that opinion which the noble Lord finds fault with the late Government for not producing. There might, perhaps, have been some mistake, whether the French or Portuguese fleet was the first to fire, had it not been for a circumstance which afterwards occurred. The Portuguese Minister called upon the French Admiral to know what ships commenced firing ; but to his inquiry no answer was ever given. Under these circumstances I conceive that there is not the slightest doubt that, according to the Law of Nations, the Portuguese fleet was not a fair prize of war. It might have been made an article of capitulation ; but I do not believe that, considering all the circumstances, it could be regarded as a prize of war. One very important Article of the Treaty of Peace was, that the French fleet was to go away within a certain time ; but it turns out that since then another treaty has been made. In the first treaty a demand was made for the cession of

Fort St. Julian, and in the second treaty it was required that the fortresses of the Tagus should neither be reinforced nor repaired during the stay of the French fleet, and this, be it observed, was after peace had been settled between the two parties. Then a dispute arose out of an article which appeared in one of the Portuguese newspapers, published, I believe, at Oporto and Coimbra. The French Admiral had demanded that the account of the transactions in the Tagus should be published in his own words, and, his desire not being complied with, the Government of Portugal, which is under the protection of this country, was on that account called upon to make further concessions. Another very curious demand, and which has some connection with the petition that has now been presented, was that the French subjects trading to Portugal should be placed on a footing with the most favored nation, that is to say, with England. When I see that such demands have been made, and when I see that his Majesty's Government have done nothing on the subject, I cannot but feel that Portugal has been treated in a manner unbecoming an independent nation. My opinion, in fact, is, that the unfortunate situation of Portugal is to be attributed to her having no defined relation in Europe, and that she does not, at present, belong to the families of Europe. It is my opinion, also, that it is the duty of the Government of this country to raise her from that position. But the noble Earl asks, Why did not the late Government make arrangements for recognising the Portuguese Government? In the first place, the late Government was bound by engagements, not made by them, but made by the former Government, to recognise Donna Maria as the Sovereign of Portugal. The Prince who was seated on the throne of that country had broken his engagements, and no one more lamented the circumstance than I did. I did everything in my power to prevail upon that Prince to conduct himself in a manner suited to his honor and interest, and I did everything that was proper to avenge the insult offered to his Majesty by the breach of the engagements into which Don Miguel had entered. But after so acting, I felt it to be my duty, as a servant of the King, to endeavor to restore friendly relations between Portugal and this country, by the reunion of the different branches of the Braganza family. It is not the business of the English Ministers to support a civil war in Portugal, or to endeavor, by force of arms, to re-establish the Constitution ; but it

is their duty to do everything by way of conciliation and advice to restore amity between the two branches of the Braganza family, and thereby to bring Portugal back into the family of nations. I made various efforts to accomplish that object. I found Don Pedro sometimes desirous of going to war, provided this country carried it on for him ; at other times desirous of settling matters by amicable negotiation ; and again returning to the idea of waging war against his brother by means of which I could never approve, namely, by revolutionary means, and by affording assistance to rebels against the Government *de facto* of Portugal. I believe that Don Pedro himself is now aware of the impropriety of employing such means, for he has found that he has lost the empire of Brazil in consequence of resorting to them. I afterwards learned that Don Pedro was desirous of settling matters by giving his daughter in marriage to Don Miguel ; but he accompanied the proposition by the condition that England should be answerable for the conduct of his brother. After all that had passed, it was not to be expected that the English Ministry would agree to such a proposition, and this negotiation was therefore broken off. The noble Earl has quoted a paper, dated the 17th of September, 1830, and signed by my noble friend, in which it was stated that, if certain conditions were complied with, the Government of Don Miguel would be recognised. I had very often had doubts on the subject of that recognition. I always felt great objection to the making this country an arbitrator between Don Miguel and his subjects ; but still I did think that before I could advise his Majesty to recognize that Prince, or to call upon the other powers to do the same, I ought to require from him that he should offer a general amnesty to all his subjects, and particularly to those who had been in the service of his brother. The noble Earl has said that this condition was never performed ; but what the noble Earl has not told the House is, whether he is willing, in case that condition were complied with, to recognize the Government of Portugal, and to send an ambassador to that country. Has the noble Earl told Don Miguel that his recognition depends on his compliance with that condition ? I think that, when the noble Earl comes forward and blames the late Government for not making arrangements for the recognition of Don Miguel, he ought to have followed their example in this respect. It is even more incumbent on the noble Lords opposite than on the late



Fort St. Julian, and in the second treaty it was required that the fortresses of the Tagus should neither be reinforced nor repaired during the stay of the French fleet, and this, be it observed, was after peace had been settled between the two parties. Then a dispute arose out of an article which appeared in one of the Portuguese newspapers, published, I believe, at Oporto and Coimbra. The French Admiral had demanded that the account of the transactions in the Tagus should be published in his own words, and, his desire not being complied with, the Government of Portugal, which is under the protection of this country, was on that account called upon to make further concessions. Another very curious demand, and which has some connection with the petition that has now been presented, was that the French subjects trading to Portugal should be placed on a footing with the most favored nation, that is to say, with England. When I see that such demands have been made, and when I see that his Majesty's Government have done nothing on the subject, I cannot but feel that Portugal has been treated in a manner unbecoming an independent nation. My opinion, in fact, is, that the unfortunate situation of Portugal is to be attributed to her having no defined relation in Europe, and that she does not, at present, belong to the families of Europe. It is my opinion, also, that it is the duty of the Government of this country to raise her from that position. But the noble Earl asks, Why did not the late Government make arrangements for recognising the Portuguese Government? In the first place, the late Government was bound by engagements, not made by them, but made by the former Government, to recognise Donna Maria as the Sovereign of Portugal. The Prince who was seated on the throne of that country had broken his engagements, and no one more lamented the circumstance than I did. I did everything in my power to prevail upon that Prince to conduct himself in a manner suited to his honor and interest, and I did everything that was proper to avenge the insult offered to his Majesty by the breach of the engagements into which Don Miguel had entered. But after so acting, I felt it to be my duty, as a servant of the King, to endeavor to restore friendly relations between Portugal and this country, by the reunion of the different branches of the Braganza family. It is not the business of the English Ministers to support a civil war in Portugal, or to endeavor, by force of arms, to re-establish the Constitution ; but it

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Government to bring back Portugal into the family of Europe, because the revolution of France has latterly made great progress. It is the revolution which has rendered it especially necessary for this Government to prevent Portugal from becoming what it otherwise will become—a province of France. We now owe it to the firmness of Don Miguel and of the Portuguese people, and to nothing else, that Portugal is not at this moment in close alliance, commercial as well as political, with France. The French Admiral did all but make a conquest of the country. He required the surrender of fort St. Julian, and the enjoyment by French subjects of commercial privileges only granted to Englishmen. And will any man tell me that, if Don Miguel had not called upon his people to protect him from such demands, Portugal would not be at this moment in close alliance with France? I repeat, my Lords, that, in my opinion, none of the topics introduced by my noble Friend were irrelevant to the subject-matter of the petition.

The petition was ordered to lie on the table.

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*September 19, 1831.*

In a renewed debate on the same subject,

*THE DUKE OF WELLINGTON* said:

When I spoke on this subject a fortnight ago I had seen the papers which are in the hands of my noble Friend (the Earl of Aberdeen). It was from a perusal of those papers that I said I was fully convinced that the French Admiral had proposed, by a commercial treaty with Portugal, to place France upon the same footing as the most favored nation, that is to say, as England, with regard to commerce. I moreover stated, upon the same authority, that the Portuguese Government had resisted this proposal, and that the result of this resistance was, that the convention had not been of such a nature as the French expected and desired. Now the noble Earl (Grey) admits that he had no knowledge of those circumstances when the former debate took place, and also that the information he possesses on this subject has been received by him since that time. In spite, however, of the information which the noble Earl has subsequently received, I

must repeat that I was authorized by those documents to say what I said, and I adhere to my former assertion. But let me ask the noble Earl how it has happened that our Consul-General at Lisbon—the Consul-General upon whom the noble Earl the other night passed so eloquent an eulogium—had not, even in September, given the noble Earl information of a negotiation which had been concluded in July? If the noble Earl conceives we have no reason to complain of this omission, the noble Earl must, at least, be struck with the remarkable proof which the circumstance affords of the total want of confidence on the part of the Portuguese Government in our Consul-General. This want of confidence, I assert, must, to say the least of it, be highly detrimental to British interests in Portugal; and I do think that for this reason, if for no other, the noble Earl ought to inquire carefully into the conduct of that individual, in order to ascertain if there is not some reason for this unfortunate Government—unfortunate I must call it—refusing to place the least confidence in the Consul-General of this country. Government has, it appears, sent out two ships-of-war to Portugal, for what purpose I will not inquire. If it has been done to give protection to his Majesty's subjects, I can have no objection to it. But I hope that this protection will be called for on a better foundation than is set forth in published letters with respect to supposed rights and privileges. I do not understand why protection should be given for acts by individuals which were against the laws of the country into which those individuals had been received. I admit that his Majesty's subjects in Portugal have a right to certain privileges, but I deny that there is any privileges by which British subjects in the country of an ally can claim protection if they commit acts contrary to the laws of that country. For my own part, I fear that all the measures which have been recently adopted with reference to Portugal will end in a civil war in Portugal and Spain. I feel very anxious on this subject; and, viewing all the circumstances as I do, I am desirous that his Majesty's Government should give a proper check to the Consul-General at Lisbon; and that they should let his Majesty's subjects in Portugal know that they have no right to seek protection if they act in defiance of the law of the country, or if they attempt to disturb the public peace. I will, without hesitation, declare that, if Government proceeds in this way, the lives of none of his Majesty's subjects in Portugal will be safe. I

have expressed my sentiments thus freely because I am anxious to preserve the interests both of Portugal and of this country.

The conversation dropped.

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*September 19, 1831.*

### G A M E L A W S.

The Duke of RICHMOND moved the commitment of a Bill for the alteration of the Game Laws, laws which he denounced as bad in principle, and productive of the most demoralizing effects.

*THE DUKE OF WELLINGTON said:*

I have invariably opposed Bills of this kind, not because I approve of the existing laws, but because no Bill which has ever been brought forward, not even the present, effected the object which the noble Duke and others profess to have in view. By the Bill now before your Lordships, game is considered as property. This is a new principle. Heretofore, the right to kill game only has been treated as property. I think that, when your Lordships come to consider the Bill in Committee, you will be of opinion that it will not prevent the evils which have been complained of. The subject of complaint is the breach of the law; but the law would be broken as frequently after the Bill passed as it is now. The present Bill affords greater facilities for the sale of game than any of the Bills which have been rejected by your Lordships on former occasions. The killing of game forms the chief amusement of country gentlemen. It causes a large expenditure of money in the country, and affords employment to thousands of people. This expenditure of money and employment of people would cease were gentlemen deprived of the exclusive right of killing game, which they have possessed in this country for nearly five hundred years. It is worthy of observation, that in every country of Europe, except France, the gentry possess the exclusive right of pursuing game. There is one defect in the enactment of the Bill before your Lordships, to which I beg to call the attention of the noble Duke. The Bill inflicts a penalty for trespass only. Now, if a tenant, holding and on which the right of shooting has been reserved to the landlord, should kill game on that land, I do not see how he can be punished, because it is clear that the penalty under the Bill for

trespass cannot be inflicted, since he has the right to go on the land. This is a point which requires consideration.

The Duke of RICHMOND said the clause to which the noble Duke referred should be altered pursuant to his suggestion.

The Bill then passed through Committee.

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*September 29, 1831.*

### AFFAIRS OF BELGIUM.

The Marquis of LONDONDERRY having again brought the subject of the armed and aggressive intervention of France in the affairs of Belgium before their Lordships,

Lord GODERICH said that His Majesty's Ministers were pursuing a course in this matter which he was sure, when the time came for explaining it in detail, would give satisfaction to Parliament and to the country.

*THE DUKE OF WELLINGTON* said:

In the very few words which I have to offer to your Lordships on this subject, I can assure the noble Lord opposite that nothing can be further from my wish than to embarrass the Government, or to disturb that good understanding which, I am most happy to hear, prevails between this and the Governments of the other powers of Europe. I must further assure your Lordships that there is no man in this country more desirous than I am to witness the preservation of peace, not only between England and France, but all over Europe. I may differ from the noble Lords opposite as to the best mode of preserving that peace, but I certainly do not differ from them as to the necessity of preserving it; and I shall most assuredly do nothing to hamper or to obstruct them in their exertions for the attainment of that most desirable of all objects. At the same time, I am free to confess that my view of the subject before us, that is to say, the employment of French officers in the Belgian army, is different from that of the noble Lord who has just sat down. Before, however, I state what my view of the subject is, I must be allowed to say a few words respecting the illustrious individual (Prince Talleyrand) who has been so strongly animadverted upon by my noble friend near me. True it is that that illustrious individual enjoyed, in a very high degree, the confidence of my noble friend's deceased relative (Lord Castlereagh); and true it is also, that none of the great measures which were resolved upon at Vienna and Paris were concerted or car-

ried on without the intervention of that illustrious person. I have no hesitation in saying that, both at that time, in every one of the great transactions which took place then, and in every transaction in which I have been engaged with Prince Talleyrand since, the latest of which occurred during the short period in which I was in his Majesty's councils after the late Revolution in France—I have no hesitation, I say, in declaring, that in all those transactions, from the first to the last of them, no man could have conducted himself with more firmness and ability with regard to his own country, or with more uprightness and honor in all his communications with the Ministers of other countries, than Prince Talleyrand. We have heard a good deal of Prince Talleyrand from many quarters, but I feel myself bound to declare it to be my sincere and conscientious belief, that no man's public and private character has ever been so much belied as both the public and the private character of that illustrious individual has been. I have thought it necessary, in common justice, to say this much of an individual respecting whose conduct and character I have had no slight means of forming a judgment. As to the subject before your Lordships, I can but remind you that it is one in which the interests of Europe at large are materially involved, though we have taken the greatest part in it. When King Leopold left this country, I congratulated your Lordships upon the proof which his Majesty then gave of his desire to be an independent Sovereign. I believe it was the intention of our Government that he should continue independent, as well of this as of all other countries. I firmly believe, moreover, that it was owing to our Government that the French army was withdrawn from Belgium, and that the Government insisted upon this withdrawal from the conviction that King Leopold could not be independent while that army remained in Belgium. It is my opinion that there never was in the history of the world a period at which it would be more easy than at the present for the independent Sovereign of an independent state to assume a station independent of all the world, as a neutral state of Europe. This it is at present in the power of King Leopold to effect, but it may not be in his power to effect it a few months hence, for the events of a few months may make it as difficult as it is now easy. The noble Lord who has just sat down has said, that as an independent Sovereign King Leopold has a right to take foreign troops into his service; and the noble Lord has in-

stanced the practice of other countries in proof of his position. But allow me to observe, my Lords, that if Belgium were like Russia or Prussia, which have very large armies, the employment of foreign officers would not be a matter of much consequence, because the number of them must bear but a small proportion to the number of native officers, and a still smaller proportion to the number of the troops. Belgium, however, has an army of not more than 20,000 or 30,000 men at the utmost. I would ask your Lordships to remember what the commander of a regiment is—he is the very mind and soul of his soldiers. Look back at our own Acts of Parliament, and you will find that by the law of England foreign officers are not allowed to serve our King. And why have such Acts been passed? It is because our legislators have been sensible how vast is the influence which the officers must necessarily have over the soldiers they command. Such, too, was the law of Belgium, until it was altered at the instance of the King. It is said that there are now in Belgium as many as 400 foreign officers. I have heard, too (I should be glad to hear that it is not true), that 200 cuirassiers have entered Tournay; that there are as many as 800 at Liege, and 300 or 400 at Aeth. These reports may be erroneous, but the statement with regard to the officers rests upon good authority. We know that French officers have received permission from the King of the French to serve in Belgium; but upon what condition? Why, that they shall wear the French uniform, and their own national cockade. There is another point, too, connected with this subject which ought not to be overlooked. General Billiard, one of these officers, is not only a soldier of well-known military talents, but he happens also to be the French Ambassador at Brussels. The noble Lord has said that King Leopold is an independent Prince. Independent! What, with an army of 20,000 soldiers, officered by Frenchmen? The thing is impossible. But we have been told that the independence of the King of Belgium is guaranteed by England, and by the other great powers of Europe. This, again, is impossible, for there can be no such guarantee if the King of Belgium is to have an army so constituted. I suppose that this plan of officering the Belgian army with Frenchmen is a substitute for the use of French troops. If so, I must be allowed to say that the substitute has been most unwisely chosen. But this is not all. By the proposed arrangement, the Netherlands are to constitute a neutral



state. I do not quarrel with this arrangement, considering the difficulties which would stand in the way of any other arrangement; and in spite of the inconveniences which may result from it to the other parts of Europe—inconveniences to which I am by no means insensible—I really believe that the arrangement would be found to answer, if it were carried into strict execution, especially by France. The Netherlands, however, can never be a neutral state with such an army as it is now proposed to give to King Leopold; and I am sure it is only necessary to allude to these considerations, in order to awaken the noble Lords opposite to a sense of the impossibility of effecting what they propose. No one can be more desirous than I am of seeing this arrangement succeed, in order that the anxiety of Europe may no longer be kept alive by that part of the world; but I say, my Lords, that it never can succeed if this military plan be allowed to go on. There is yet another point of view in which I wish to put this subject, and that is, that the assistance of French officers is altogether unnecessary. I think I may speak with some degree of accuracy on this subject, because I have had opportunities of knowing a little of that country and of its army. When the unfortunate dispute between Holland and Belgium broke out, and the expedition of Prince Frederick against Brussels failed, the military force of the two countries separated. All the Belgian officers remained in Belgium; and it is well understood that the service they have seen must qualify them for the duties which it is now proposed to confide to foreigners. Then there is the youth of Belgium; is it meant to be contended that the youth of Belgium would not take up arms in defence of a monarch who has been elected by the voice of the people, and that it is necessary for King Leopold to apply to his neighbour, the French King, for military assistance? My Lords, I deny the existence of any such necessity. I will not detain your Lordships further. My object in making these observations has been to expose an arrangement which would make King Leopold little better than a Prefect of France, and lead to consequences that all Europe would deplore.

Motion withdrawn.

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*September 30, 1831.*

WINE DUTIES BILL.

On the third reading of the Wine Duties Bill,

Viscount GODERICH took occasion to deny that there existed on the part of the English Government any disposition to favor France at the expense of Portugal.

*THE DUKE OF WELLINGTON* said :

I have heard the last sentence that fell from the noble Lord with great pleasure, and I only wish that the country, judging from the acts of the noble Lords opposite, could place implicit reliance in the declaration which that sentence contains. This, however, is, I fear, not the case, for, looking at the whole reply of the noble Lord to the remarks of my noble friend (Aberdeen), and the acts of the Government, I cannot but conclude that the Government is actuated by inimical feelings, and by feelings of passion, against the present Government of Portugal. My noble friend has placed the measure upon two grounds, as it will affect our finances, and as it will affect our commerce ; and my noble friend has stated his reasons for believing that, as a financial measure, it will not answer the expectations entertained by the noble Lords opposite with respect to it, and also his reasons for regarding it, as a commercial measure, as prejudicial to the interests of this country, and of an old and faithful ally. To the objections of my noble friend upon the financial part of the subject, no answer has been given or attempted by the noble Lord, except that the noble Lord has expressed it to be his belief that it will occasion some increase in the consumption of French wines. There is a fact intimately connected with this part of the subject which has not been at all alluded to by the Government,—I mean the present and progressive consumption of Portuguese wine. At this moment that consumption is decreasing. In 1829 the consumption for the year was 2,398,000 gallons ; in 1828 it was 2,603,000 gallons ; and in 1824 it was 2,655,000 gallons. Yet this is the moment that, ~~is~~ chosen to increase the duty, and that, too, your Lordships are told, for the purpose of increasing the revenue. Such a proposition, my Lords, is absurd. The consumption of an article is decreasing, and yet a new duty is levied upon it for the purpose of acquiring an enlarged revenue. And what is the amount of increased revenue that is required ? Why, 175,000*l*. The House cannot

have been told by the Government what is the real object of the measure ; there must, I am satisfied, be some covert design in bringing it forward. Then, as to notice being given to the Government of Portugal of the intention to propose this measure, I contend that, if nothing whatever had been said in any treaty upon that point, that still the Government of this country was bound, by the usages in force among friendly powers, to have stated its intention to Portugal. This country, however, as it happens, was bound by treaty to give a specific notice of such a measure as this. The Government was bound to do this by the Methuen treaty itself ; and there is one point bearing upon this part of the subject, and alluded to by my noble friend, which has been left altogether unanswered by the noble Lord. If the Treaty of 1810 had no reference to the Methuen Treaty, how is it that in consequence of that treaty the woollens of this country have been introduced into Portugal on payment of a duty of 15 per cent., instead of 23 per cent. ? That one fact indisputably proves that the Methuen Treaty came under the Treaty of 1810. I say, my Lords, that notice ought to have been given to the Government of Portugal ; and in not giving it the Government of this country has been guilty of a gross violation of treaties. But, says the noble Lord, notice was given : repeated remonstrances were made to the Portuguese Government respecting the improper conduct of the Oporto Company. My Lords, the treaty contemplated no such vague supposititious notice as that, but contained a regular form of notice, which regular form has not been complied with. My noble friend contended that the change was made to favor the commerce with France ; and in reply to this the noble Lord has stated that, in his opinion, reciprocity is the only system that will prove advantageous to this country. Now, what is this reciprocity with France, for which so much is to be risked ? The whole of the exports from this country to France amount to between 300,000*l.* and 400,000*l.* annually, while the amount of the exports from this country to Portugal, for the same period, is 2,500,000*l.*, including the exports to Spain, which go through Portugal. Thus stand the facts ; and we are called upon to risk the breaking up so important and extensive a commerce, for the purpose of cultivating reciprocity with a country which has repudiated every attempt at anything of the sort. France, my Lords, has been already essayed upon the principle of reciprocity, and she disowns it. There is

already a reciprocity treaty in existence with France. How, my Lords, has she conducted herself with respect to its provisions? What does the shipping interest of this country say with respect to the conduct of France concerning the Shipping Reciprocity Treaty of 1825? The conduct of France with respect to that treaty has been continually remonstrated against, and yet no satisfaction whatever has been received. The truth is, that the Government of Portugal has, for the last ten months, been looked upon with inimical feelings and with passion by the King's servants, and that this measure is not brought forward with any view to revenue, but for the purpose of opposing and embarrassing the existing Government of that country. The noble Lords opposite do not like the situation of the Government of Portugal; it is not to their mind; and they are anxious, either by revolutionary measures, or by any other mode, to overthrow it. Let them, however, look well at the responsibility they are incurring. Let them consider the frightful consequences in which their manœuvring may involve this country and the whole of Europe. If their designs meet even with temporary success, they will inevitably lead to a war of opinions—to a war of religions, the worst of wars—and the most deplorable consequence for all Europe will ensue. I think it right to acquaint the House with what I know upon this subject. A loan has been contracted in this country upon account of Don Pedro, for the purpose of defraying the charges of an expedition for the invasion of Portugal. That loan is raised upon the Crown lands and the Church property of Portugal. It is to me most extraordinary that a Prince who has diverted the revenue of the Brazils for the payment of the interest of a loan contracted in this country for the invasion of Portugal, and who by such conduct has lost the crown of the Brazils, should now be able to raise a second loan for a similar object. I must say, my Lords, that the whole conduct of the Government throughout these transactions has been grossly partial and unjust. Why, I ask, are there at this moment two of our ships of the line, and a number of frigates, in the Tagus, before Lisbon? Is it to protect British subjects? Surely not; for this country is not at war with Portugal, nor is there any point of dispute between the two powers. Such conduct, I say, is altogether unjustifiable, and coupled with this measure must compel the people of England to regard the conduct of their Government as prejudiced, as designedly tending to an injurious and

un-English course. And what is the time chosen for bringing forward this unjust measure? Why, the very period when England is claiming the exercise of her extraordinary and unprecedented privileges under treaties which are now violated and decried. My Lords, I say that these are transactions unworthy of this country, and which cannot fail to lead to disgraceful results.

Bill read a third time and passed.

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October 4, 1831.

### PARLIAMENTARY REFORM.

On the motion that the Reform in Parliament (England) Bill be read a second time,

*THE DUKE OF WELLINGTON* addressed the House in the following terms:

I concur, my Lords, entirely with the noble Lord (Melbourne) who spoke last, in the opinion that this measure is a most extensive one. It goes to overturn the whole system of our representation; it affects the counties, towns, and boroughs; it destroys or disturbs every existing interest; and, as the noble Lord said, it will require further changes. It alters all the relations of representation, and even the proportions of the representatives of the different parts of the monarchy. It is the most considerable alteration and change ever proposed. The noble Lord says it would not be sufficient unless it went to a great extent; and he tells your Lordships it ought to go to a Committee; and that we should not reject the measure now, but proceed to consider its details in a Committee. Notwithstanding all the changes it is to effect, it will be followed by other changes, in order to render it fit for working, and adapt it practically to our Constitution. Ought we not to know what those changes are before we are called upon to consider this Bill in a Committee?

Before I go any further I wish to observe on a statement made by the noble Earl (Grey) when he introduced the measure. He did me the honor to notice my conduct. The noble Earl, when he opened the measure to your Lordships, made some observations on me. He seems to prefer that course to explaining or

defending his own measures. The noble Earl seemed to forget that there was any necessity to defend his own measure or explain it to the House, and chose rather to criticise me and my language, and the language of my Right Honorable friend, and our conduct and language in Parliament during the last Session. The noble Earl thought proper to find fault with my language relating to the constitution of Parliament, and attributed to me, and to what I said in Parliament, the spirit of reform in the country, and the breaking up of the late Government. The noble Earl found fault with my opinion of Parliament; but what had the Parliament done up to the moment when I was speaking to make it undeserving of our approbation? My noble friend, who has spoken with great ability (the Earl of Harrowby), regretted that I should have made the statement I did make to your Lordships of the character and conduct of Parliament. My Lords, I beg my noble friend and the noble Earl to recollect that, when I spoke of the Parliament, I spoke as the King's Minister, and that it is the duty of the King's Minister to support the institutions of the country: it had never, when I was in office, been the practice for the King's Ministers to give up the institutions of the country, and abandon them the moment they were attacked.

But, my Lords, if I wanted an example of the opinions of the value of the House of Commons, I should find it in the opinion of the noble Earl the last time, I believe, that he spoke of the House of Commons. In the month of February, 1817, the noble Lord said, 'Constituted as it now was, he in his conscience believed that the House of Commons was, of all other institutions, in all the other countries of the world, the institution best calculated for the general protection of the subject. Supported by the people in temperate and firm claims for redress, it was not only able, but certain, to remedy every wrong. It was capable to act as the most efficient control upon the executive, by diminishing the means of corruption and reducing the pressure of a severe and grinding taxation.' That was the opinion of the noble Earl himself in 1817; and what, I would ask, had the Parliament done subsequently to deserve the disapprobation of the noble Earl—what had it done between 1817 and the moment when I pronounced that approbation of Parliament of which my noble friend and the noble Earl have expressed so much disapprobation? When the noble Earl quotes what I said not quite a twelvemonth

ago, he might, I think, quote it correctly. What I said was, that Parliament had done its duty by the country, and enjoyed its confidence. I said that, if I had to create a constitution of Parliament, I could not create that which existed, because I did not believe the wit of man could invent such a system; but I said that I would do my endeavor to establish one like it, in which property, and particularly property in land, should be preponderant. That was what I said; and I afterwards had the satisfaction to hear the noble Marquis (Lansdowne) deliver a similar opinion. He had stated that, in any system of representation which he could support, property and learning must be preponderant. I said that I should consider it my duty to resist the adopting of any plan of Reform that should be brought forward: I spoke as a Minister of the Crown, and as a Minister of the Crown I meant to resist Reform.

The noble Lords say that this statement of mine caused great enmity to me, and created that spirit of Reform which has since pervaded the whole country. I beg the noble Earl's pardon; but the spirit of Reform in this country was the consequence of the French revolution. It is true that ever since the American war a desire for Parliamentary Reform has been manifested in this country,—it has been manifested particularly when any disturbance or insurrection has occurred in any of the neighboring foreign countries—above all, since the French revolution; and when there has been any extraordinary distress or difficulty in the country. At the same time, I believe that, from year to year, the manifestations of such a desire have been less frequent. I have, indeed, the authority of those most friendly to Reform for saying, that the manifestations of the desire for Reform were less frequent till the period of the revolution of July 1830, than they had formerly been for a number of years. It happened, unfortunately, that, a few days before the Ordinances were issued in Paris, His Majesty had dissolved the Parliament. At the elections, my Lords, a strong spirit of Parliamentary Reform was exhibited. In several contests, candidates for seats in Parliament were called upon to pledge themselves upon the subject of Parliamentary Reform. In many contested elections the contest was decided in favour of the candidate who declared himself a Reformer.

The noble Earl has likewise referred to what I said on the 2nd of November, in this House, as the cause of the disturbed state of

the city of London and its neighbourhood, and of the circumstances which occasioned the letter from the Secretary of State to the Lord Mayor, communicating to him that His Majesty would not visit the city on the 9th of November.

This letter was written on the 7th of November. The circumstances which rendered it necessary to write it were known to the King's servants on the 5th and 6th.

The noble Lords have the papers in their own hands. I beg to know whether, in their opinion, the information which we had received was sufficient to warrant the advice which we considered it our duty to give our Sovereign, and to obtain his commands, on the 7th of November. The noble Lords have not themselves thought proper to advise His Majesty as yet to pay a visit to the city. I may fairly presume, therefore, that our advice was judicious on the 7th of November.

But it is said that the circumstances which rendered this advice necessary were occasioned by what I said in Parliament; that is to say, that, having spoken in Parliament on the 2nd, the effect produced in the city, and in the neighbourhood, was such, by the 5th, that the King's servants were obliged to advise the King on the 7th not to visit the city. Is this possible, my Lords? I again call upon the noble Lords to say whether we were or not justified in giving the advice which we did give.

My Lords, the state of the public feeling and opinion in London, as well as in the north of England, and elsewhere in the country, had been influenced by the state of affairs in France, in Belgium, and in other parts of Europe. It was the state of affairs which occasioned those circumstances which induced us to advise the King not to visit the city; and not any opinion of mine on Parliamentary Reform, delivered in this House on the night of the 2nd of November, and which could not have been known at all till the 3rd, and could not therefore have occasioned, by the 5th, the circumstances to which I have referred. Then the noble Lord has, notwithstanding my repeated contradictions and explanations, asserted that my opinions upon Parliamentary Reform, as delivered upon the 2nd of November, had occasioned the resignation of the King's late Ministers, my colleagues and myself. My Lords, we retired from the King's service on Tuesday, the 16th of November, because we found that on Monday, the 15th, on an important question, we no longer possessed the confidence



of the House of Commons. We decided in consequence to resign, and we actually requested His Majesty to accept our resignation on Tuesday, the day following.

If we had delayed to carry our design into execution, the great question of Parliamentary Reform, in which I cannot but think the interests of the monarchy are involved, would have been discussed in the House of Commons on Tuesday, and those interests defended by a Ministry no longer possessing the confidence of the House, and which must therefore have gone out of office.

If the question, on Monday, the 15th of November, had been that of Parliamentary Reform, it is not clear to me that we should have been in a minority. My reason for being of that opinion is, that it appears on the division, on the second reading of the noble Lord's Bill in March last, many Members voted against it who had been in the majority on the 15th of November. Whatever might be the degree in which the Members of the late Parliament were pledged to Reform, I think myself justified in the statement that my opinion upon Parliamentary Reform did not occasion our resignation; and that most probably it was not the cause of the loss of the confidence of the House of Commons. The noble Lord assumed his office on the 22nd of November, and on that day he stated to your Lordships on what principles he intended to conduct the Government of the country. Among other intentions he stated that of proposing a plan of Parliamentary Reform. He stated that he had obtained the King's consent to enable him to bring forward this proposition, as the Minister, and with the power and influence of Government. The noble Lord's words upon that occasion were very remarkable, and deserving of your Lordships' attention.

Your Lordships will observe that the noble Lord told you that he intended to found his plan of Reform 'on the basis of the institutions of the country;' and, as he explained, 'a Reform, limited by a desire to stand as far as prudence will permit by the ancient landmarks, and to prevent the sudden disturbance of our settled institutions by too large and extensive changes.' He now tells you that he had brought in a measure which would effect a great change in them; and the noble Secretary of State adds, that these changes must be followed by others. They must be so followed, or the government of the country will be impracticable.

A bill was introduced into the other House of Parliament,

according to the noble Lord's plan, which, after long discussion, was read a second time by the decision of a small majority. This measure altered everything, — it changed or destroyed every interest in the country. Instead of proceeding upon the basis of the established institutions, it destroyed them all; and, among other things, altered the relative numbers of the representatives in Parliament from the different kingdoms of the united empire.

It was proposed in the House of Commons that the proportion of representatives for England should not be diminished, to which proposition, after long debate, the House of Commons agreed by a majority of seven. The principle of the noble Lord's bill had been agreed to. Why did not the noble Lords persevere and carry through their bill, making such alterations as might render it palatable to the House of Commons, and consistent with the established practice of the constitution? This did not suit their purpose. They dissolved the Parliament, and advised their Sovereign to appeal to his people. I attribute all our misfortunes to that event. The noble Lords advised their Sovereign upon that occasion to come to Parliament, and to make this speech :—

‘I have come to meet you for the purpose of proroguing this Parliament, with a view to its immediate dissolution.

‘I have been induced to resort to this measure for the purpose of ascertaining the sense of my people, in the way in which it may be most constitutionally and authentically expressed, on the expediency of making such changes in the representation as circumstances may seem to require; and which, founded upon the acknowledged principles of the constitution, may tend at once to uphold the just rights and prerogatives of the Crown, and to give security to the liberties of my people.’

The dissolution then made, and the speech delivered by His Majesty, were both upon a principle entirely different from that of the precedents according to which the measure was adopted. In 1784, the King, George III., differed from his Ministers upon a great question. They retired from his service, and His Majesty appointed other Ministers. Those Ministers did not enjoy the confidence of the House of Commons, and the King dissolved his Parliament, and put an end to the session, in the words which I am about to read to your Lordships :—

‘On a full consideration of the present situation of affairs, and

of the extraordinary circumstances which have produced it, I am induced to put an end to this session of Parliament.

‘I feel it a duty I owe to the constitution and to the country, in such a situation, to recur as speedily as possible to the sense of my people by calling a new Parliament.

‘I trust that this measure will tend to obviate the mischiefs arising from the unhappy divisions and distractions which have lately subsisted; and that the various important objects which will require consideration may be afterwards proceeded upon with less interruption and happier effect.

‘I can have no other object but to preserve the true principles of our free and happy constitution; and to employ the powers intrusted to me by law for the only good end for which they were given—the good of my people.’

I will not give your Lordships the trouble of listening to the perusal of the case of 1807, which stands precisely upon the same principle as that of 1784. In both, the King differed in opinion with his Ministers and with the Parliament upon measures upon which his Majesty had decided; and he appealed to the sense of his people, and called upon them to elect a Parliament which should give their confidence to the Ministers of his choice, in carrying on the measures which he approved. The transaction was brought to a close before the appeal was made to the people. The people were not called upon to deliberate upon any measure; but the appeal to them was rather, it may be said, in favor of the men whom His Majesty had named as his Ministers. In the case of 1831, however, the noble Lords have advised their Sovereign to refer for discussion to the people—not whether the King was to be supported in naming his Ministers—not whether Parliament is to be reformed, because, upon the principle of reform, there was a majority in the late House of Commons,—but upon a particular plan of reform, which was accordingly discussed throughout the country.

It is on the ground of the dissolution, and of this speech from the Throne, that I charge the noble Lords with having excited the spirit which existed in the country at the period of the last general election; and with having been the cause of the unconstitutional practice, hitherto unknown, of electing delegates for a particular purpose to Parliament,—delegates to obey the daily instructions of their constituents, and to be cashiered if they should disobey

them, whatever may be their own opinion ; instead of being, as they have been hitherto, independent Members of Parliament, to deliberate with their colleagues upon matters of common concern, and to decide according to the best of their judgment, after such deliberation and debate. This is an evil of which the country will long feel the consequences, whatever may be the result of these discussions.

My Lords, this measure, thus debated by the people, and thus brought forward by the Government in Parliament, for the decision of Members thus delegated to give it the force of a law, alters everything ; and requires, as the noble Secretary of State says, still further alterations in the State, in order to render it practicable to carry on the government at all.

I will not, at this late hour of the night, enter much into the details of the system proposed, which have been well considered and exposed by my noble friends the noble Earl (Harrowby) and the noble Baron (Wharnccliffe) behind me. One of my objections to the system proposed for the formation of the constituency of the boroughs and towns is its uniformity, and which objection was, by the by, mentioned by one of my noble friends. The electors are all the householders, payers of a rent of 10*l.* and upwards ; these householders in towns in the south of England—I mean the counties of Kent, Sussex, Surrey, Hants, Berkshire, and Oxford—will consist of the occupiers of every house in such towns as will not require a supplement under the Bill to be allotted by the Commissioners : these will be generally the shopkeepers—a class of persons of all others the most likely to combine in political views, and to be acted upon by political clubs and societies of the description of that formed some months ago in the Strand, with a view to assist these newly-formed corporations in selecting their representatives in Parliament.

It is true that this society dissolved itself as soon as its existence was observed upon here or in the other House of Parliament. But political combination among these voters in boroughs and towns will hereafter be much more probable than it has been heretofore among the various interests of which the borough constituency has been formed.

These combinations, or the influence of such an association as I have described and has existed, would be very injurious to the public interests. I beg your Lordships besides to observe that,

in nearly every town not requiring a supplement, every householder will have a vote, including daily laborers, every description of menial servant, waiters, ostlers, postilions at inns, and such like. In respect to counties, it appears that sixty-two members are to be added to this branch of the representation; of which fifty to counties to be divided, two to Yorkshire, and ten to counties which are to have three members each. An addition is to be made to the county constituency by enabling 10*l.* copyholders to vote as well as freeholders, and leaseholders holding tenements of 50*l.* yearly rent, and even occupiers of land paying that sum.

I cannot consider that this system will place the landed interest in the same relation towards the commercial or manufacturing interest as that in which it stands at present. I doubt the county representation, as it stands at present, being capable of protecting the landed interest of the country without the assistance of the Members of the close boroughs. These are the true protectors of the landed interest of the country. The increase of riches in all towns, owing to the vast increase of manufactures and commerce, has given great influence to the inhabitants of towns in all county elections. This influence will be increased by giving votes to copyholders and holders of 50*l.* leases: these are generally inhabitants of towns and shopkeepers. Throughout the whole of some counties in England, there is not a single acre of land, not in a town, held by a lease.

Towns placed in schedules A and B, deprived of their Members, will continue to influence the elections of Members for the counties in which they are situated, which elections will be farther influenced by other arrangements of the Bill; giving votes to the freeholders of certain counties of towns in the elections of neighboring counties.

The Members for counties will therefore be nearly as much under the control of the constituency residing in towns, as the Members for the towns themselves will. But, my Lords, the question for us to consider, in the formation of this new system, is, not only what is the system which will best maintain the balance between the county interest and the town interest, but what will best form for the country a government. That is the most important point for our consideration, and for the people. We must take care that, after all this shall be done, there will be a government in the country.

We must consider not only the representation of England, but likewise that of Scotland and Ireland. In respect to Scotland and its representation, I do not know enough of either to pronounce whether the representation ought or ought not to be reformed ; but I must repeat the words of a noble Lord, whose loss I shall never cease to lament, respecting that country (I mean the late Earl of Liverpool), ‘ that Scotland was the best conditioned country in Europe.’ I believe I may say that it is one of the best governed countries in the world ; and I am sure that for the last sixty or seventy years it has been the most prosperous.

We are bound to look at what is about to be done in respect to the representation of Scotland. In counties in Scotland, freeholders, leaseholders, copyholders (allowing for the difference of tenure), and occupiers of land paying a rent of 50*l.* a-year, are to have votes the same as in the counties in England. The inhabitants of towns will have the same influence over the elections for counties as in England ; but this influence will be more powerful in Scotland than in England, because there are more large towns in Scotland, which, under the system, will not send representatives of their own, than there will be in England. The county Members from Scotland can no longer be reckoned upon as supporters of the landed interest. The franchises of the borough towns in Scotland will be given to 10*l.* householders, as in England ; and these will, of course, be in what is called the commercial or manufacturing interest.

In respect to Ireland the change is the same as in England and Scotland. In Ireland there are few holders of land excepting upon lease. But every tenant upon every estate will have a vote for a county. In the towns 10*l.* householders are to vote. These towns may be divided into two classes, close corporations and counties of towns. The first were formed by King James I., for the purpose of supporting in Parliament the establishment of the Church of England in Ireland, upon which I will say a word or two presently. The returns for these corporations are now to be made by the 10*l.* householders of these same towns.

In counties of towns the voters are to be the resident freemen of the corporation, and 40*s.* freeholders, as at present, and resident 10*l.* householders. All these arrangements depart from those of the Acts of 1828. Those Acts left the right of election in corporations and in counties of towns, as they had been settled

and left at the Union. They deprived 40*s.* freeholders of their right of voting for Members of counties, because it was supposed that the exercise of that right gave an undue preponderating influence to persons professing the Roman Catholic religion.

The 50*l.* leaseholders will, under the new arrangement, take the place of the 40*s.* freeholders, and all will equally be the tool of the priest. For the close corporations established by King James 10*l.* householders are to vote. These are all Roman Catholics.

In counties of towns we had refused to deprive 40*s.* freeholders of their franchise. The freemen of these corporations are generally, if not always, Protestants, and they can be increased without limitation. The freeholders are generally Roman Catholics. We did not think proper to alter the balance between the two, by leaving to the corporation the unlimited power of increasing its freemen, while the 40*s.* freehold right should have been extinguished. But the noble Lords have gone to work in another way, and, having first deprived non-resident freemen of these counties of towns, who are Protestants, of their votes, they have left untouched the Roman Catholic 40*s.* freeholders, and have besides added to the constituency of those counties of towns all the 10*l.* householders. These are likewise Roman Catholics. The noble Lords have thus had the merit of establishing a Roman Catholic predominant interest in every county of a town in Ireland, in every close corporation formed for the protection of the Church of England, and in every county.

I will refer presently to the consequences of these arrangements upon the interests of the Church of England in Ireland. In the mean time, I beg your Lordships to observe, that the Irish representation in the Imperial Parliament cannot be considered as in the interest of the land.

The due balance between the landed interest and the commercial and manufacturing interest in Parliament must be considered a matter of small importance, in comparison with the more important object of considering what will be the sort of House of Commons which such a constituency, so formed, will give us.

Throughout the whole of the empire, persons in the lowest condition of life, liable to, and even existing under, the most pernicious influences, are to have votes, or, in other words, are to exercise political power. Persons in those stations of life do exercise

political power already ; but in few places in large masses preponderating over the influence of other classes of society. What must we expect when these lower classes will preponderate everywhere ? We know what sort of representatives are returned by the places I have described. What are we to expect when the whole representation, or nearly the whole, will be of the same description ?

We hear sometimes of Radical Reform ; and we know that the term applies to universal suffrage, vote by ballot, annual parliaments, and their consequences. But I declare that, looking at these changes pervading every part of the representation, root and branch, destroying or changing everything that has existed, even to the relative numbers of the representatives from the three kingdoms fixed by treaty, I should call this a Radical Reform, rather than reform of any other description. Is there no danger that, bad as what is proposed is, it will go further than would appear to be contemplated by the noble Lords ? A noble friend of mine has stated the danger which will result from this measure in consequence of the principle on which it stands. It stands, with respect to large towns, on the principle of population. Certain towns are selected to send two Members because they have above 20,000 inhabitants. Certain others to send one Member because they have above 9000 or 10,000 inhabitants.

There is in reserve a number of about thirty or forty Members not yet allotted to any constituency. Will it be possible to refuse to extend the right of sending Members to Parliament to any town or parish which may prove that its numbers exceed 10,000 or 20,000 inhabitants ?

But we are told that this is not a question of numbers. How does it happen that there are four or five most beautiful, rich, and flourishing county towns in England placed in schedule B ? These county towns are not only rich in themselves, and by the settlements of gentry residing in their neighborhood, but they are more populous than is required in order to continue in the enjoyment of their accustomed number of representatives.

It happens, however, that a part of the population of each inhabit a part of the existing town, not in, but contiguous to, the corporation as fixed by its ancient charters ; such limits not containing 4000 souls, the numbers required. We are then told that numbers have nothing to do with the various settlements of the representation under this Bill !



Taking the whole view of this system of representation to be established in England, Scotland, and Ireland, I cannot but consider that the House of Commons returned by it will be a democratical assembly of the worst description; that radical reform, vote by ballot, and all the evil consequences to be expected from the deliberations of such an assembly, must follow from its establishment. I entreat your Lordships to pause before you agree to establish such a system in your country.

But we are told that the people wish for this measure; and when we express our sense of the danger which attends it on account of the democratical power which it tends to establish, an endeavor is made to calm our apprehensions by the assurance that the people are attached to the government of King, Lords, and Commons.

If we are to rely upon that feeling of the people,—if we are to adopt this measure because it is the pleasure of the people, and because they are attached to the government of King, Lords, and Commons, why do not we at once adopt the measure which we know that the people prefer—I mean radical reform; that is to say, universal suffrage, vote by ballot, and annual parliaments? If we are to make a change, there can be no reason for not going the full length that the people wish, if we can be sure that the measure will not injure the government, that to which they are attached, of King, Lords, and Commons.

But before we go further it is desirable that we should examine what is the government of King, Lords, and Commons, as established in this kingdom. In this government the King is at the head of everything. All the power is in his hands. He is the head of the Church, the head of the law. Justice is administered in his name. He is the protector of the peace of the country, the head of its political negotiations and of its armed force; not a shilling of public money can be expended without his order and signature. But, notwithstanding these immense powers, the King can do nothing that is contrary to law, or to the engagements of himself or his predecessors. The King calls Parliament to assist him with its counsels *de arduis regni*, and those are responsible for his acts who carry them into execution. His Ministers are responsible not only for the legality, but for the prudence and fitness of his acts. To whom are they responsible? To this and the other House of Parliament; to the latter principally, on

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account of the greater activity of its inquisitorial power, on account of its possessing exclusively the power of the purse, and for other reasons. Every act of the Government, or of the King, is liable to be brought under discussion in, and is, in fact, controlled by, the House of Commons ; and for this reason alone it is important that we should consider of what description of men the House of Commons is likely to be composed, when we are discussing a question of Parliamentary Reform, in order that we may be quite certain that they will exercise their high functions with wisdom and discretion.

It was on these grounds that I some time ago called upon the noble Earl to state by what influence he intended to carry on the King's Government in Parliament, according to the principles fixed at the period of the Revolution, and in practice from that period to this, when this Reform Bill should be passed. The noble Lord answered immediately, not by means of corruption. I am aware of that, my Lords. I am convinced that the noble Lord is incapable of resorting to such means, as I hope he believes that I am incapable of resorting to them. I did not consider this any answer to my question, which I repeated in a subsequent discussion, on a motion by my noble friend the noble Baron behind me. The noble Earl said that the Government had nothing to do with such questions ; that Parliament was to decide for itself ; and that there was no necessity for the interference of Government.

I beg your Lordships to consider what are the questions which in every week, and on every day, are brought under the discussion of the House of Commons,—questions affecting the honour, the interests, the rights, the property of every individual in the country, which the King is bound by his oath to protect, and in the protection of which all are equally interested. They are questions regarding the proceedings of courts of justice, regarding the use of the public force, and hundreds of others, which occur daily, in which every individual is interested. I put legislation out of the question : but can the King from that throne give to his subjects the necessary protection for their rights and property ? No, my Lords. It is only by the influence of property over the elections of Members of the House of Commons, and by the influence of the Crown and of this House, and of the property of the country, upon its proceedings, that the great

powers of such a body as the House of Commons can be exercised with discretion and safety. The King could not perform the duties of his high station, nor the House of Lords, if the House of Commons were formed on the principle and plan proposed by this Bill.

There is one institution which would become peculiarly liable to attack in such a House of Commons, to which I wish to draw the attention of the Right Reverend Bench, and that is, the establishment of the Church of England in Ireland. This Church is the object of a fundamental article of the treaty of Union between the two countries, and is secured by Acts of both Parliaments, and the King is, besides, sworn to maintain its rights and possessions. Can any man believe that, when the representatives for Ireland come to be elected in the manner proposed by the Bill, the Church of England in Ireland can be maintained?

I have already shown that these representatives must be elected under the influence of the Roman Catholic hierarchy. Who are those who now show the greatest hostility to the Church, its rights and possessions?—the Members for populous places. The reason is, that the deprivation of the Church of its property is one of the popular objects of the day. The object of the Bill is, and its effect will be, to increase the number of this description of Members in Parliament, and to render the influence of this party predominant and irresistible.

I believe the noble Earl has already found the Members returned by Ireland, under this influence, very inconvenient to himself, upon more than one occasion; and it appears that the Right Honorable gentleman who conducts the affairs of Ireland in the House of Commons was under the necessity, very lately, of giving up a measure which he thought important for the benefit and peace of Ireland, because the Members from Ireland—of this party—were opposed to it. How can the noble Lord suppose that the Church of England can be protected, or even the Union itself preserved, in a reformed Parliament? There is no man, who considers what the government of King, Lords, and Commons is, and the details of the manner in which it is carried on, who must not see that Government will become impracticable when the three branches shall be separate; each independent of the other, and uncontrolled in its action by any of the existing influences.

A noble Earl, who has spoken on this side of the House, has made an observation to your Lordships which well deserves your attention. The noble Earl has told you that, if you increase but a little the democratic power in the state, the step can never be withdrawn. Your Lordships must continue in the same course till you have passed through the miseries of a revolution, and thence to a military despotism, and the evils which attend that system of government. It is not denied that this Bill must increase beyond measure the democratic power of the state—that it must constitute in the House of Commons a fierce democracy :—what must be the consequences your Lordships will judge.

I will not detain your Lordships by adverting to the merits of the system of government which has existed up to the present moment, upon which my opinion is by no means altered. No man denies that we have enjoyed great advantages ; that we have enjoyed a larger share of happiness, comfort, and prosperity, for a long course of years, than were ever enjoyed by any nation ; that we have more riches, the largest fortunes, personal as well as real, more manufactures and commerce, than all the nations of Europe taken together ; the richest, most extensive, most peopled, and most prosperous foreign colonies and possessions, that any nation ever possessed. There is not an important position in the world, whether for the purpose of navigation, commerce, or military defence, that does not belong to us.

If this democratic assembly should once be established in England, does any man believe that we should continue to enjoy these vast advantages ? But a democracy has never been established in any part of the world, that it has not immediately declared war against property—against the payment of the public debt—and against all the principles of conservation, which are secured by, and are in fact the principal objects of, the British Constitution, as it now exists. Property and its possessors will become the common enemy. I do not urge this argument as one in which your Lordships are peculiarly interested : it is not you alone, nor even other proprietors, who are interested in the protection of property ; the whole people, middling classes as well as the lower orders, are interested in this subject. Look at the anxiety prevailing in every part of London, in respect to the great revolution to be made by this Bill. My noble friend, the noble Baron behind me, has been ridiculed for adverting to the

opinions of tradesmen in Bond-street and St. James's-street. Those in Bond-street consist of more than two hundred respectable persons, who are well able to form an opinion of the effect of this Bill upon the resources of themselves, the middling classes, and the poor, as they supply the luxuries of persons in easier circumstances residing in that quarter of the town. Anything which can affect the resources of their customers must be interesting to them, and they do feel that this Bill must affect property, private expenditure, and the resources of themselves and of those whom they employ. The noble Lord on the other side, who adverted to this topic, greatly underrated the wealth of these tradesmen. I know of one, residing in Bond-street, who employs at all times from two thousand to four thousand workmen, whose trade depends, as well as the employment of this body of people, upon the expenditure of his customers. Is he not interested in upholding the public faith and the system of property now established in England? Are not the people, of all classes and descriptions, down to the lowest, interested in the maintenance of our extensive manufactures and commerce, in the conservation of our enormous dominions abroad, and the continued respect of all nations?

If I am right in thinking that this fierce democracy will be established in the House of Commons, does any man believe that that harmony can continue between the King and his Government and the House of Commons, so necessary to ensure to both general respect, and to the King's Government the strength which is necessary to enable his Majesty to protect and keep in order his foreign dominions, and to ensure the obedience of their inhabitants? We shall lose these colonies and foreign possessions, and with them our authority and influence abroad.

There is no instance of any country having maintained its strength or its influence in its foreign possessions, or the respect of foreign nations, during the existence of internal troubles and disturbance; and there is none of the existence, without such troubles, of a Government, consisting of King, Lords, and Commons, independent of each other, and the members of the latter depending solely upon the popular choice, and being delegates of the people. We have had an example in England of a House of Commons which was independent of the influence of the Crown and of this House, and of the property of the country. After

banishing or imprisoning the most respectable members of this House, turning the Spiritual Lords out of it, and murdering their Sovereign, they voted the House of Lords useless. I will read your Lordships the account given by a man who was knowing in his time (Oliver Cromwell) of what this House became. 'The Parliament, which had so vigorously withstood the encroachments of the royal power, became themselves too desirous of absolute authority; and not only engrossed the legislative, but usurped the executive power.

'All causes, civil and criminal, all questions of property, were determined by committees, who, being themselves the legislature, were accountable to no law, and for that reason their decrees were arbitrary, and their proceedings violent. Oppression was without redress, unjust sentence without appeal; there was no prospect of ease or intermission. The Parliament had determined never to dissolve themselves.

'At length the army interfered. They soon perceived that, unless they made one regulation more, and crushed this many-headed monster, they had hitherto ventured their lives to little purpose, and had, instead of assuring their own and their country's liberty, only changed one kind of slavery for another.'

This is the account of the state of a House of Commons acting independently of all influence, and of the state to which it brought the country. My Lords, I have stated to you what will be the probable action of the system established by the Bill on the government of the country—that is the real question—what is the nature of our government, and what the share of the House of Commons in its details; in what manner it controls them all; and how important the composition of that House is to the very existence of government. I have shown you in what manner the protection of property by government is necessary, and the dependence of all the sources of our national prosperity upon the continuance of a good understanding between the King and his Parliament. I have stated my reasons for thinking that all these will be destroyed by the Bill. I have likewise stated to your Lordships my opinion that the King's Ministers, by the speech which they had recommended to the King to deliver from the Throne, on the 22nd of April, on the dissolution of Parliament, had excited the spirit which pervaded the late elections of Members to serve in Parliament, and had occasioned the election

of delegates for a particular purpose, instead of Members of Parliament.

My Lords, the King's Speech, upon the occasion to which I have referred, has materially altered the state of this question. The people have been called upon by the King to deliberate upon it, and have been led to expect that a change would be made. In recommending to your Lordships to vote against this Bill, I earnestly entreat you to avoid pledging yourselves, whether in public or private, against any other measure that may be brought forward. I recommend to you to keep yourselves free to adopt any measure upon this subject which shall secure to this country the blessings of a government. By so doing you will perform your duty by your country, and will deserve its thanks, and the gratitude of posterity.

Debate adjourned.

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*October 5, 1831.*

#### PARLIAMENTARY REFORM—BIRMINGHAM PETITION.

In the course of a discussion on the presentation of Reform Petitions, in which the great petition from Birmingham was prominently noticed,

Lord HOLLAND having adverted to the declared opinions of the Duke of Wellington in relation to Parliamentary Reform,

*THE DUKE OF WELLINGTON* said :

The noble Lord rose and made a speech to order, and I never recollect a speech more inconsistent with order, or with the practice of this House. On the question 'That the petition do lie upon the table,' the noble Lord referred to a debate going on, I may say, upon a subject respecting which I rather thought that, for once in my life, I had obtained the approbation of the noble Lord. This discussion has now lasted some time; but, during the whole of it, I remained silent. I did not wish to draw your attention to the Bill now on your Lordships' table, upon an occasion merely of presenting a petition. I have not said one word—I have not uttered a cheer during the present debate, and I do not see how my sentiments can with propriety be brought into discussion. I do not deny that I always felt strongly the attempts that were made to intimidate your Lordships; but for that meeting which has been described in the paper produced in this House, and

for all such meetings, I feel the greatest contempt; and I am perfectly satisfied that the House is superior to any intimidations founded on the proceedings of any such assemblages. I feel no concern for all these threats, whether proceeding from Birmingham or elsewhere. I have always thought, and I think still, that the law is too strong to be overborne by such proceedings. I know further, that there does exist throughout this country a strong feeling of attachment to the government of the country as by law established; I know that the people look up to the law as their best protection, and those laws they will not violate in any manner to endanger the government of the country, or any of its established institutions. I am afraid of none of these; but I will tell your Lordships what I am afraid of. I am afraid of revolution, and of revolutionary measures, brought in and proposed by his Majesty's Government. I assert, and I believe that history will bear me out in the assertion, that there has been no revolution in this country, or any great change, which has not been brought about by the Parliament, and generally by the Government introducing measures, and carrying them through by the influence of the Crown. I would therefore entreat your Lordships to do all you can to defeat this measure; use every means of resistance which the just exercise of your privileges will warrant, and trust to the good sense of the country to submit to the legal and just decision to which you shall come.

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*October 17, 1831.*

#### FINANCIAL POSITION OF THE COUNTRY.

On the question that the Consolidated Fund Appropriation Bill be read a third time,

**THE DUKE OF WELLINGTON** said:

I rise, my Lords, to move, pursuant to the notice I have given, for the purpose of submitting to your Lordships some observations respecting the financial condition of the country. I am aware that it is usual, on occasions like the present, to advert as well to the external as to the internal policy of the country; to the measures emanating from both; to the effects which those measures have produced, and to the effects which those measures are likely to produce. Although, however, there are some topics



connected with our foreign policy to which I might be anxious to advert—although there is one of these which is already ripe for discussion, the papers connected with it being on your table—yet it is not my intention to trouble your Lordships unnecessarily on the present occasion with any allusion to foreign affairs, because I shall have other opportunities for this, and because your Lordships have already been wearied with very long discussions. I shall therefore confine myself entirely to the state of the finances of this country, and to a comparison between their present state and what they have been before. The country now finds itself in this singular situation, namely, that, with an increased expenditure, and with a large reduction of taxation, it has at the same time no overplus of revenue over expenditure, or at least so trifling an overplus that it may fairly be called none at all, being, as I shall presently show, not more than about 10,000*l*. I say that the country is in this situation now; for I put out of the question those occasions on which the Ministers find it necessary to come down to Parliament and ask for a loan to carry on the service of the country on account of some of those accidental and unforeseen circumstances which occur in so large an establishment as this country possesses. To meet such occurrences, a surplus of income over expenditure has always been considered desirable, which is also advantageous with a view to the diminution of the public debt. I am aware that there is great difference of opinion connected with this point; I am aware that many great authorities are of opinion that no such overplus of income over expenditure is necessary; and I agree with these authorities when they say that this surplus ought not to be increased by borrowing, and so incurring new liabilities for the purpose of getting rid of old ones. At the same time, however, I cannot look at what has taken place in this country of late years, even during the short time I had the honor of being in His Majesty's councils, without being sensible of the very great advantages which have resulted, and must result, from such a surplus of income over expenditure as will tend to the gradual diminution of the public debt. I am within the truth when I state to your Lordships, that since the peace the interest of the public debt has been reduced to an amount equal to what would pay the interest of 100,000,000*l*. of stock; and I think your Lordships must therefore see that some overplus of income at least is highly desirable. But this is not

all. Considering the hopes which have been held out at different times by persons at the head of the financial department that there shall be always such an overplus provided—considering the wishes which have been constantly expressed on this subject by all the Committees on financial affairs, and even by the last finance Committee—considering these things, I think that I am not saying too much when I affirm that it seems to be a principle of the financial policy of this country that there shall be an annual surplus of income over expenditure, to be applied to the gradual diminution of the public debt. Besides these considerations, your Lordships must be aware that much of the revenue of the country depends upon the seasons, and that almost all of it depends upon consumption. Your Lordships, too, must be aware that consumption depends upon taste and fashion, and upon those changes in taste and fashion over which no man can have any control. Thus, then, the revenue is subject to very material variations, the precise amount of which cannot be foreseen, and which can be provided for only by a surplus of income. It is on this principle that the Government to which I had the honor to belong proceeded last year. In the preceding year we had arranged so as to have a diminution of the interest on the unfunded debt to the amount of 130,000*l.* a year, and in the course of the years 1828, 1829, and 1830, we had produced a diminution of expenditure to the amount of not less than 3,575,000*l.*, the expenditure being in 1827, 51,390,000*l.*, and in 1830, 47,815,000*l.* This difference was produced by three years' close attention to economy. The Ministers of that day reduced the services estimated for Parliament from 18,245,000*l.*, to which they amounted in 1827, to 16,500,000*l.*, speaking in round numbers, which was their amount in 1830; making a difference of more than 1,500,000*l.* Besides this, they have reduced their expenditure in the last year, that is to say, the year 1829-30, by an amount of 1,100,000*l.*; and besides all that, we laid the ground for a further diminution by reducing the four per cents., lessening the charge for that stock 788,000*l.* a year. We had therefore made a reduction, not of 3,500,000*l.* only, but in fact a reduction of more than 4,000,000*l.* Having made such a reduction of expenditure, we considered ourselves justified in proposing a large reduction of taxation. We did propose such a reduction accordingly, and with the consent of Parliament we took off taxes to the amount of 3,350,000*l.* When

we made this proposition to Parliament we had a revenue which was estimated at, and I believe did not produce less than, 50,480,000*l.* Our expenditure was only 47,815,000*l.* We had also besides this, as I have already stated, the prospect of a further reduction by reducing the four per cents. to the amount of 788,000*l.* By deducting this prospective reduction from our expenditure, our expenditure would amount to 47,027,000*l.*, and the difference, therefore, between our income and our expenditure was 3,453,000*l.* By repealing taxes to an amount greater than 3,000,000*l.*, we had remaining but a very small surplus of income over expenditure. But then, at the same time we imposed an additional duty on spirits, and we had every reason to expect that by the repeal of the beer-tax a very considerable increase of the revenue would arise from the increased production under the malt-tax, and I believe that the noble Lords opposite will acknowledge that they have found that this expectation of their predecessors has been realised. We hoped, too, that another year would give us still better prospects, for at that time we had not the good fortune of the French revolution. We had, however, a large fleet in the Mediterranean, which the uncertain state of the affairs of Greece rendered it necessary to keep up; but as soon as the settlement of that country should be accomplished, we had intended to put down that fleet, and to bring the navy estimates, like the army estimates, within the frame of a peace establishment. We hoped, and I think reasonably, that by these means we should have a surplus of income over expenditure to the amount of nearly 2,000,000*l.* sterling. It was in this condition of our financial affairs that the noble Lords came into office. Those noble Lords, however, found themselves under the necessity of increasing all the military establishments, all the navy establishments, and, in short, all the establishments which their predecessors had been occupied for many years previously in endeavoring to reduce. The estimates made for these establishments exceeded the estimates of their predecessors in 1830 by about 930,000*l.*; at least, that was the amount of the apparent excess; but then I must observe that the real excess was 200,000*l.* or 300,000*l.* more; for the fact is, that the supply for the ordnance is not charged to its full amount, a part of the expenses for it having been provided for by the sale of old stores, including even arms belonging to the department. Thus the charge for the ordnance appears smaller

than, in fact, the necessary expenses of the department amounted to; and the difference, therefore, between the estimates of the noble Lords opposite and those of their predecessors would have been 1,200,000*l.*, and not 930,000*l.*, if part of the ways and means for providing for the expenses of the ordnance department had not been derived from the sale of stores. However, the noble Lords opposite will admit that the excess, according to their own reckoning and the papers laid before Parliament, stood at 930,000*l.* I understand that the amount of revenue upon which the noble Lords calculate is 47,250,000*l.*, which is a little higher than their predecessors calculated the revenue for the year 1831, after deducting the taxes they had reduced. Then the expenditure of the noble Lords will amount to 47,239,850*l.*, which, subtracted from the revenue of 47,250,000*l.*, will leave a surplus of 10,150*l.* This, and no more, is the surplus of income over expenditure in a great country like this. I am perfectly aware that the noble Lord, the Chancellor of the Exchequer, has made out the surplus to be much greater, nearly 500,000*l.*; but then the noble Lord has been able to make out this amount of surplus in no other way than by resorting to a mode of calculating which is quite new in the financial system of this country. The revenue, the noble Lord admits, will be 47,250,000*l.* The expenditure, however, the noble Lord calculates in this way:—the noble Lord takes what has been expended and what might be expended, but not what Parliament has voted. The noble Lord says, ‘We have spent already, up to October, being three-quarters of the year, 35,221,643*l.*; for the remainder of the year I will allow 11,534,578*l.*; so that our whole expenditure will amount to 46,756,221*l.*’ But this way of calculating cannot be satisfactory. The votes which have been agreed to by Parliament amount to 47,239,850*l.*; the revenue is calculated at 47,250,000*l.*; and the surplus, therefore, of income over expenditure is, as I made it out, 10,150*l.*, and not 493,000*l.*, as the Chancellor of the Exchequer, by his mode of calculating, represents it to be. I am quite sure that your Lordships will see through the fallacy of this statement. It may be true that it will not be necessary to provide, during this year, for a greater outlay than has been stated by the Chancellor of the Exchequer; but although a nation, like an individual, may not be called upon to discharge, within the year, all the liabilities contracted by it during that year, yet I must say that both the

nation and the individual ought, in calculating their expenditure and receipts, to set the expenditure and receipts of each year against one another, and, if the question is one of defraying yearly expenditure by means of yearly receipts, to provide for the liabilities contracted in one year out of the receipts of the same year. I must contend, therefore, that the Chancellor of the Exchequer has introduced into the financial system of the country quite a new principle, a principle which in any times but the present would not have been listened to for a moment, even had any Chancellor of the Exchequer brought it forward, which I do not think would have been very likely in any other times than these. Having this prospect before them, the present Ministers have thought proper also to propose a large reduction of taxation. They have repealed the duties on coals, which produced to the revenue 950,000*l.* a year; they have made an alteration in the cotton duties, by which, as I understand, the revenue will lose 300,000*l.* a year more; and besides this, they have made a prospective repeal of the candle duties, by which the revenue will sustain a further loss of 500,000*l.* a year. Two of these alterations took place in the month of March last, and the other is to commence in February. With every allowance for increase of consumption, I think that the loss of income which will result from these alterations, in the present year, cannot be calculated at less than 900,000*l.*, which 900,000*l.*, be it observed, would be so much surplus revenue at this moment, if the taxes had been retained. But look at the next year; then there will be, under the coal tax, the cotton duties, and the candle tax, more than 1,700,000*l.* taken from a revenue which already exceeds the expenditure by more than 10,000*l.* I am one of those who said, a long time ago, that we thought the repeal of the coal tax a very proper measure, if it were proper to repeal any tax; but the noble Earl should recollect that I told him that the mode to supply the consumer with cheap coals was, not to begin by repealing the tax, but by putting an end to the abuses in the coal trade. These abuses are still in existence. What are the consequences produced by the coalition between the coal producer and the persons engaged in bringing the article to market? Why, that while 950,000*l.* is lost to the revenue of the country, only 2*s.* per chaldron is saved by the consumer, the remaining 4*s.* going to the producer and conveyer of the coals, who, in addition to their other large profits, have now

got the greater part of the King's duty. Your Lordships will acknowledge that this is not the exact way in which the finances of the country ought to be regulated. And when your Lordships come to look at the consequences of the repeal of this tax, and how little benefit it produces to the consumer, you will feel the truth of my observations; certainly it is more desirable to have a surplus of the revenue over the expenditure to meet contingencies, than that the revenue should be diminished to the profit of a few wealthy individuals. If other circumstances rendered such a provision a matter of comparative indifference, still it is certainly more desirable to have the money lying in the Exchequer than in the pockets of the producer or of the person by whom the coals are transported to London or elsewhere. Your Lordships will observe that I have not said that I am averse to the repeal of this tax; what I say is, that it is expedient, in repealing it, to give the consumer, not the producer, the full benefit of the measure, and that the repeal should only take place when the Government is quite sure that the produce of the tax is not essential to the King's revenue. I have made these observations because, looking to the preceding year, I am convinced that the revenue is tending to a state of great confusion, and because I am satisfied that the noble Earl, in case any accident should occur—in case of anything unforeseen arising in the money market, something, for instance, with respect to the funding of Exchequer bills—the noble Earl, I repeat, will, I am sure, find himself in a position of the greatest possible embarrassment.

Bill read a third time and passed.

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[SECOND SESSION OF THE TENTH IMPERIAL PARLIAMENT (SECOND YEAR OF WILLIAM IV.).]

*January 26, 1832.*

### AFFAIRS OF BELGIUM.

The Earl of ABERDEEN, in an extended speech, moved, in reference to the recent Treaty of the 30th of November, with reference to the separation of Holland and Belgium, that to compel the Dutch Government to accept that Treaty without modification was unjust and inexpedient; and that therefore an Address be laid before His Majesty praying him to issue such directions as may render the said Treaty more consistent with the honor of His Majesty's

Crown, the security of our own permanent interests, and the just claims of His Majesty's faithful and natural ally.

Earl GREY defended the Treaty, as essential to the peace of Europe.

*THE DUKE OF WELLINGTON* said:

I certainly agree with my noble Friend (Lord Aberdeen) that, in common with him, I owe some apology for the vote I am about to give in favor of the Address; but I must state that what principally induces me to consent to the present motion being brought forward is my sense of the injustice done to Holland by the departure from the principles of the treaty of Aix-la-Chapelle. Holland, my Lords, was forced to consent to the measures determined on by the Conference of London, without having time or being allowed to consider them. It is upon that ground I rest my justification for requiring that this treaty should be now reconsidered, and I shall endeavor to prevail upon the noble Lords opposite to reconsider it themselves. I regret that the noble Earl, whose whole time and attention must have been engrossed with other subjects, has not been able to give his attention to this particular business, for I believe such facts have never before occurred in negotiations between any two powers, except on the occasion of the interference of the Three Powers between the Turks and the Greeks. But the noble Earl says that the interference with Belgium and Holland was not a mediation. It certainly, my Lords, did not commence in a mediation, but it terminated in the assumption of an arbitration—the most unjust that ever was known—on the part of the Five Powers; and the noble Earl has boasted that he carried their opinions along with him for the conclusion of the treaty. I assert, my Lords, that the arbitration was most tyrannical, for the parties were never called on to hear the reasons for the sentence which was passed on them, nor had they any opportunity of making their defence until the sentence had been pronounced to be irrevocable. The noble Earl spoke of the concurrence of the French Government as one of these Powers. I do not know whether that Government concurred in the treaty or not, but, if it was a party to it, it must certainly have changed its views since, for it has declared that it will not hear of the alteration from a mediation to an arbitration. I do not know whether this principle is meant to be applied to the Belgians only. I cannot, however, suppose that it was not meant that there should be a mediation as regarded Belgium, but that the powers of an arbitra-

tion should not be employed against the King of the Netherlands. Your Lordships are well aware of the important distinction between the two terms. In February M. Sebastiani said that the interference of the Five Powers was only in the way of mediation, and that the French Government could never consent that it should lose that character. But now your Lordships are told that the character of an arbitration was forced upon the Conference. Was it forced upon them by those of the Five Powers who have refused to ratify the treaty because it would become an arbitration? or was it they who, as your Lordships are told, carrying the rest of Europe along with them, forced the Conference to act as arbitrators? I presume to say that I have had a long experience in these affairs, and I will assure your Lordships of my sincere belief that, were England induced to give up Holland, every other Power in Europe would be ready to peck at her. It is on such considerations that I ground the vote I am about to give. The noble Earl has been pleased to charge the members of the late Government with having prepared the embarrassments in which his Majesty's present Ministers are involved: but why does not the noble Earl prove that? I have often challenged the noble Earl to come forward and prove that any embarrassment felt by the present Administration has been caused by the Government of which I was a member. I have said before that the last revolution in France was a visitation upon Europe, for which the late Government of this country was as little to blame as the noble Earl himself, or as any other person at that time in opposition to the Government. I have often said in this House that there was not an individual in Europe who had less to do with that revolution and with the measures of Prince Polignac than the individual now addressing your Lordships. But if the members of the late Government had nothing to do with that revolution, they have also the satisfaction, the consolation of reflecting that they have never eulogized it. The noble Earl has spoken, as usual, very harshly of the Settlement of Europe in 1814 and 1815. But the noble Earl ought to remember that that settlement has maintained the peace of Europe ever since, with the exception, which I have always repelled, of the interference between Turkey and Greece. Is not the noble Earl aware that he is, up to the present day, carrying on his negotiations under the arrangements of that settlement? The power which the noble Earl professes to have over



the Conference of London is entirely owing to that settlement of which he so much complains. But the noble Earl says that the late Administration left him in difficulties. It was they however, who commenced the settlement of the difference between Belgium and the King of the Netherlands ; and I must express my belief that the present Ministers found that the other Powers were negotiating (at the time when their predecessors signed the last protocol) with a sincere desire to bring these transactions to a speedy and an amicable conclusion. The late Government did no more than settle the suspension of hostilities, and take an engagement from the two hostile powers that they would adhere to the suspension. They settled upon a line beyond which neither party should pass ; and in the same protocol it was distinctly stated that the line was determined on, only for the purpose of suspending hostilities, and not as the definite separation of one territory from the other. On the 7th November (and it is curious and extraordinary that on that occasion the late Government avoided the error into which the noble Earl fell ten days later) the late Ministers refused to guarantee the suspension of hostilities ; but the noble Earl guaranteed it. I will not say, indeed, that the noble Earl has since made good his guarantee. The late Government refused to make good the suspension, because they knew that if it should be violated it would be necessary to go to war to enforce it, and that then it would be very difficult to determine to what Power the task of its enforcement should be committed. The only way in which the noble Earl has executed the guarantee has been by forcing the King of the Netherlands to break up the blockade of the Scheldt ; but he has not compelled the Belgians to adhere to the suspension. It was difficult to say to which Power the task of enforcing this engagement should be intrusted. The noble Earl, however, cut the matter short ; the guarantee was never enforced against the Belgians, but it was enforced against the King of the Netherlands by our compelling that sovereign to break up the blockade of the Scheldt. There were no steps taken, on the other hand, to compel the Belgians to adhere to the suspension, and more especially in the neighborhood of Maestricht. There is one very curious circumstance connected with this guarantee which I think well worthy of your Lordships' consideration. On one occasion, in February or March, the suspension of hostilities was to be enforced against the Belgians by a blockade of their ports : and how was

this to be done? By neutral Powers; but surely it must be well known to the noble Lord who signed the protocol that a neutral Power can have no right to blockade the ports or seize the ships of one of the belligerents. The noble Earl professes to have acted throughout with strict impartiality. How did the Conference prove this? At the same time that they threatened Belgium with the blockade of her ports by the ships of a neutral Power, they gave notice to the King of the Netherlands that he must, by the 20th March, break up his blockade of those same ports, or that a fleet would be sent to compel him to do so. Now this is called impartiality! Upon what ground that character is given to it, I am quite at a loss to understand. The next part of these transactions, to which I beg the attention of your Lordships, is the declaration of independence. The noble Earl has stated that he has always been of opinion that the best arrangement for the peaceful adjustment of the differences between the separated States would be, that the Prince of Orange should become Sovereign of Belgium. But the mischief is, that what the Belgians wanted in the first place was to have their independence declared by the Five Powers; and the first step taken after the guarantee for the suspension of hostilities was to make that declaration of independence. This took place on the 20th December; and on the 9th January M. Sebastiani wrote to the Belgian Minister at Paris, expressing great sympathy for the Belgian nation, which long formed part of France, and was still a member of the same great family, and assuring him that the Government of France had obtained for Belgium all that it could obtain for her; that the separation from Holland had been brought about by that Government, and that the independence of Belgium had thereby been consummated. Such is the construction which the French Minister put upon the declaration. Again, in the month of August, M. Meulenere, the Secretary of the Belgian Government, addressed the Conference in these terms:—‘The circumstances under which the suspension of hostilities, in November, 1830, was proposed by the Conference and accepted by the Belgian Government, are too well known to require that I should recal to your recollection that Holland, seeing her army suddenly disorganized by the natural effects of the separation of Belgium from her dominions, readily acceded to the suspension; but that Belgium might have continued to profit by the state of things at that time, and might have

pushed part of her population out of her own limits ; and that yet, on the assurance that her independence would be acknowledged, she acquiesced in the wishes of the Five Powers, and made her *début* in the political world by a sacrifice to the peace of Europe.' Such, my Lords, is the construction which Belgium put upon the declaration ; and this, my Lords, is the result of the noble Earl's negotiations, so far as France and Belgium are concerned. After that came the discussion of what is called the 12th protocol, in reference to which the noble Earl says that Holland had adopted the basis laid down by the Conference for the settlement of the separation of the two countries, and that the protocol No. 12 did not give her all that she has since obtained north of the Meuse. But on this part of the subject I beg to observe that this protocol held out to Holland other arrangements (besides the territory upon the Meuse), which were calculated to make her agree to the basis. According to that basis, Holland was to retain possession, and entire possession, of the duchy of Luxemburg, and she had every reason, moreover, to believe that she was to retain possession of the German *encloses*, as they are called, and that her territory was to be kept as a continuous line to the north of the Meuse, by other territory to be afterwards conceded to her. This protocol also contained the basis of a settlement of the debt which was satisfactory to Holland ; and with respect to that part of the article which refers to the rivers and canals having access into the Rhine, or being connected with that river, there is a letter from the Secretary of State, declaring that this article was intended to refer only to the rivers by which the countries are separated. This basis of arrangement then, my Lords, was, as I have said, satisfactory to Holland, and was readily accepted. Here it is worthy of remark that the Conference declared the settlement contained in the twenty-four articles irrevocable. But the noble Earl now tells the House that they have been obliged to depart from that settlement, because an adherence to it would have caused a general war in Europe. On this point I beg leave to contradict the noble Earl ; for after the French Government had declared, in the first instance, that it had some doubt respecting that arrangement, it gave a full consent to the whole of it on the 1st March, and agreed to carry it into execution, at the same time again declaring its determination to adhere to the mediation, and not to allow any armed intervention on the part of any State in Europe. There

was, therefore, no reason for deviating from the settlement which France had adopted, and which was satisfactory to Holland. But it happened, just at that time, that negotiations commenced for the election of Prince Leopold to the throne of Belgium. The noble Earl has said that the Government of this country had nothing to do with that election. But the noble Earl will allow me to refer him to a letter from the noble Lord who was at that time employed in Belgium (Lord Ponsonby). From this letter it appears that one of the objects of the noble Lord's residence at Brussels was to bring about that election; and for that purpose he recommended certain arrangements with a view to facilitate the acceptance of that offer by Prince Leopold of Saxe Coburg. The evidence goes clearly to show that the election of that Prince was the cause of the abandonment of that settlement which had been accepted by Holland, and which Belgium had refused. I must be permitted to say, my Lords, that I intend no disrespect to the King of Belgium; on the contrary, I have a great respect for his talents and attainments; and I trust that, if that Prince will take on him the character of an independent Sovereign, he will be an excellent King of that country. But then he must be independent, not only of this country, but of France. To prove the interference of our Government, I must add that Lord Ponsonby was ordered to state to the Belgian Government that he should leave Brussels on the 1st June unless the articles were accepted by that day. They were not settled, and he departed; and the first thing that was done after his return to London was the alteration of the basis of the settlement already agreed upon. This was done without consulting the Dutch Minister, in consequence of some representations made by Lord Ponsonby to the Conference; and the Belgian Government was told that, if they accepted the articles, the Conference was willing to go into negotiations to obtain from Holland the cession of Luxemburg for a valuable consideration—that is, for the cession of an equivalent territory. Now, according to the usual practice of such negotiations, Holland ought to have been consulted; but no such thing. The first that Holland heard of it was by the publication of Lord Ponsonby's letter. The King of the Netherlands remonstrated, but he was told that, *bon-gré mal-gré*, he must accept the new settlement. I will not follow the noble Earl in all that he has said respecting the war between Holland and Belgium. That forms no part of the question now under

consideration. Holland had great provocation to go to war when she did. I differ entirely from the noble Earl on that subject. What I said at the time in this House was, that I did not for a moment believe that the King of the Netherlands had acted with treachery. The notice which that King gave at the time ought to have been understood differently from the construction which the Conference put upon it, and they ought to have prevented the consequences that followed it. Notwithstanding the guarantee, hostilities have never been suspended in the neighborhood of Maestricht. In the same manner, hostilities are continued in the neighborhood of Antwerp. Under these circumstances, how has King Leopold acted? Before he left this country he accepted the eighteen articles; but when he arrived in Brussels he swore to the Constitution, which required that he should take possession of other territory which belonged to Holland a century back. This hastened the conflict between the two countries; and the dispersion of the Belgian army brought on the French invasion. The noble Earl has asserted that it had been prophesied that they would not again retire. I certainly can say for myself, that I was never a party to any such prophecy. I have always asserted, when strong remarks have been made on the speech of the French Minister, in which he declared that it was the intention of that country to obtain possession of the Belgian fortresses, and to garrison them with French troops, that the speech was nothing in comparison with his signature. I knew that the French troops would evacuate the Belgian territory at the time stated, because I was satisfied that the King of the French would keep his word, and never sanction such a gross breach of faith as an endeavor to keep them there. At that time, however, I remarked that I understood there were several French officers in Belgium, who were engaged in organizing the people, and this, I stated, was calculated rather to impede than to promote the independence of that country. This statement was contradicted at the time, and I was told there was no foundation for such an assertion; but I have since received further proofs that I was correct; and I now, therefore, repeat, that if there were French officers engaged in the organization of the Belgian army, such a step was not calculated to sustain the national independence of the Belgians. Even if these officers were engaged in other than military service, still their employment at all in that country was most objectionable. I

trust that your Lordships will see in the whole of these transactions something not only of indiscretion, but of what in common language would be called bad faith. I now come to that part of the question which turns on a comparison between the 24 articles of October and the guarantee of February respecting the debt. From what the noble Earl has said, I believe that the noble Earl has not had time to attend to these transactions. The noble Earl says that the guarantee was that Belgium should pay 8,400,000 florins of the rentes. But, to place that portion of the common debt on such footing, the consent of the creditors must be obtained to take the King of Belgium as a debtor instead of the King of the Netherlands. This they would not do without the guarantee of the British Government. But, after all, that was not the arrangement contemplated. The fact is, that the whole remains still the debt of the Dutch Government. The interest is to be paid half-yearly in Brussels and Amsterdam; so that there has been no such transfer as the noble Earl supposes. Certainly the noble Earl has no time to attend to these details; if he had, there would, doubtless, be less reason to complain. But what, then, is the nature of the guarantee? If the Belgians should fail to pay the interest, how is this country bound to Holland? Is each of the Five Powers bound to pay one-fifth of the amount, or is Great Britain bound to pay the whole sum in the event of their failure? It is true your Lordships have heard nothing of an Act of Parliament upon the subject, to give the Attorney-General another opportunity of delivering an opinion that the money must be paid. But, my Lords, the King's honor would be bound; and His Majesty would be obliged to come down to Parliament, say that he had guaranteed the payment, and call on Parliament to enable him to make good his engagement. But the guarantee is not confined to the debt alone; it goes much further: it extends to all the details of the navigation of the Rhine and the canals. If all the various questions growing out of these matters are to be settled by negotiation, the Conference of London will be permanent. The noble Earl has been pleased to state that the arrangements of these 24 articles are in strict conformity with the basis agreed to by the King of the Netherlands. I must request the noble Earl to inform me, then, where I can find, in any part of the basis to which that Sovereign has agreed, one word which can give the Belgians the right of passing vessels from the Scheldt to the Rhine? I know not whether the noble Earl has read the letter

from the Secretary of State for Foreign Affairs to the Ambassador of the King of the Netherlands respecting the article in question ; but in that letter the noble Secretary assured the Ambassador that the Conference would not deviate from the settlement to which Holland had already agreed. The third article of the Treaty of Separation left the Belgians the free navigation of the rivers which cross the territories of both the States. The Ambassador of the Netherlands waited on the Conference to give the King's adherence to the treaty ; and he must have protested against that third article, or the letter would not have been written. But the noble Earl affirms that the treaty relating to the navigation of the Rhine secures the navigation also of the rivers and canals connecting the Scheldt with that river. I can assure the noble Earl that the treaty contains no such provisions. That treaty, indeed, says that the branches of the Rhine and the rivers flowing into it shall be free to the navigation of the parties to the treaty. But there is not one word in it about the canals. How, then, can the noble Earl say that the navigation of the Dutch canals is given up by that treaty to the Powers who are parties to it? Even if the King of the Netherlands could be induced to consent to the navigation by the Belgians of the Dutch canals, it must of necessity be on payment of the duties, both on the Rhine and on these canals. It was by England that the demand was originated, I suspect for the purpose of favoring Belgium, for the proposed arrangement is not to be found in any previous treaty. The general custom throughout Germany is, that the Powers, the territories of which are seated on the banks of a river common to several states, have the management of that part of it which flows through their country, subject to the payment of tolls, which are sometimes regulated by treaty. The King of Holland possesses this common right, and he is bound to provide for the due passage of the river ; but the noble Earl insists upon his sharing a charge, which properly belongs to himself, with the King of the Belgians. I must now advert to the right asserted on the part of the Belgian commerce of passing through Maestricht. I contend that the case is not at all similar to that of the permission granted by Prussia to some of the minor Powers to pass through the Prussian fortresses, to which it has been compared. The principles proclaimed by the Belgians—'Belgium must be permitted to plant her flag and proclaim the principles of her independence in the towns and possessions of those opposed to her'—must, as a matter of course,

excite attention in Holland; and can your Lordships believe it possible that another State will tolerate a free passage through its fortified places to persons who hold such doctrines? And, with respect to the fisheries, although that is a matter of minor importance, yet still there are rights attached to them in various places through which the different rivers flow, which ought to be respected, but for which no provision is made to reserve the rights of the King of the Netherlands. It is, therefore, not at all probable that this Sovereign will be disposed to acquiesce in such propositions. But were he induced to grant these concessions, why is he not to have the benefit of making a treaty of commerce, from which he would derive all the advantage of them? I ask your Lordships to consider what Holland has paid for Belgium. By the treaty of 1814, Belgium was united to Holland; but Holland was to give compensation to Sweden for the cession of certain colonies, and to advance money for the restoration of the fortifications in the Low Countries. For that purpose she sold four of her colonies. Holland had to pay 1,000,000*l.* to Sweden, and 2,000,000*l.* for the Netherland fortifications, in addition to the 1,000,000*l.* for her share of the contribution of Paris, besides the Russian loan and other sums, amounting altogether to 7,000,000*l.* sterling, besides 20,000,000 of francs. Such, my Lords, is the sum that Holland has paid for Belgium; and the compensation which it is now proposed she shall receive is 600,000 florins, or about 60,000*l.* a-year. The noble Earl had said that this arbitrary act was the only way of avoiding a war. But the whole question is one of justice. Had we a right to do what we have done? So far from avoiding war, in my opinion the course of conduct pursued in this respect by His Majesty's Ministers was calculated to breed foreign war, as their course of conduct in another respect has been calculated to breed civil war. I call on your Lordships, however, not to be alarmed at the declaration of the noble Earl. The noble Earl allows that three great Powers hesitated to ratify the treaty; I may, I believe, say they are determined not to ratify it until they have the consent of the King of the Netherlands, who, on his part, never will consent to it in its present form. I have only to add, in conclusion, that I trust your Lordships will not be deterred from doing your duty on this and other subjects by threats, either of foreign or domestic war.

Motion lost by 132 to 95.



*February 27, 1832.*

### TITHES, IRELAND.

The Duke of BUCKINGHAM asked, when did the Government propose to introduce their announced measure for the adjustment of tithes in Ireland? Delay in a subject which was so deeply agitating that country ought to be avoided.

Earl GREY said the measure was in a forward state, and he hoped would soon be introduced into the other House. The difficulties of the subject, however, were not attributable to the present Government; they had existed under previous Administrations, who had been quite unable to provide a remedy for them.

*THE DUKE OF WELLINGTON* said:

My Lords, I have not had an opportunity, or perhaps I should rather say I have avoided the opportunity, of saying one word on tithes since they have been first discussed before your Lordships. I had an objection to do so until the noble Earl should have brought forward his promised measure, which was to originate in the report of the committee, appointed, as the noble Earl stated, upon the recommendation of His Majesty. But when the noble Earl declares, in reply to the question put to him by the noble Duke, that difficulties have for a long period existed, and that no measure has been adopted to remove them by any preceding Cabinet, I, having belonged to several preceding Cabinets, and having been in that very Cabinet to which that noble Earl succeeded, feel that I cannot sit by and listen to what the noble Earl has stated, without giving a direct contradiction to it. My Lords, until the period when the noble Earl took on himself the conduct of public affairs, we have never heard of tithes from the moment that the Tithe Composition Act was put in force. This Act, my Lords, was brought in by a right honorable colleague and friend of mine; and I say that it did put an end to almost all disturbance upon the subject of tithes in Ireland. Two-thirds of the livings in that country were brought under the Tithe Composition Act. Well, then, my Lords, what is the cause of the present state of the tithe question? We have already considered—first, His Majesty's reference to the subject in his Speech from the throne; and next, that this House is not to be called upon to adopt a measure upon the responsibility of Ministers, but that they have sheltered themselves under committees; and now

we find that we are to entertain the question with a view to the formation of a new system, under the pretence that Ireland was left in a disturbed state by previous administrations. My Lords, the main cause of the present excitement is the encouragement which has been given to agitators to disturb the country. I can tell the noble Earl, that, so long as encouragement is given to agitators, you may double and treble the regular army in Ireland—you may heap measures of severity upon measures of severity—but you will not succeed in putting down agitation upon this question, or upon any of the others which may follow it. My Lords, we talk of a question of property. A noble Lord, the other night, in discussing the question of tithes, observed, the people of Ireland are ready to pay that for which they receive value, to pay their rent, and to pay all the taxes on the land, and that they wish not to deprive any man of his property. I say, then, my Lords, is any property held so sacred by our law as tithes? In the first place the King is sworn—His Majesty was sworn a few months ago—to protect the property and rights of the clergy, above all classes of men. I desire, also, to bring to your Lordships' recollection, that, by two recent Acts of Parliament, in which we conferred notable advantages on the Dissenters from the Church of England, we endeavored, as far as we might by oaths, to secure the property of the Church. If any principle, indeed, can secure property to any portion of His Majesty's subjects, the property of the Church ought to be safe. It is a principle of the constitution, that tithes, above all other property, should be secured to the owner. In declaring my opinion thus strongly, I am well aware that difficulties do surround this question in Ireland, and I was ready, and I am ready, to support any fair proposition of the noble Earl to prevent disturbance, and not only to support it myself, but to use every influence I may be supposed to possess to prevent opposition. But I cannot bear that we should be accused of having done nothing in this matter, when the fact is, that we did everything in our power to pacify the country, and put an end to that disturbance which we are indirectly accused by the noble Earl of promoting.

Earl GREY had in no degree charged the noble Duke's Administration with having promoted the disturbed state of Ireland; and, on his own part, he called upon the noble Duke to explain on what grounds he charged His Majesty's present Government with encouraging agitation in that country.

*THE DUKE OF WELLINGTON* said:

My Lords, I never have made, and I never will make, a charge which I am not ready to repeat, and able to substantiate, and I will forthwith prove that which the noble Earl calls upon me to explain. In doing this, I beg leave to remind your Lordships that some months ago I suggested to the noble Earl, that an Act of Parliament which had been passed for the purpose of suppressing illegal associations in Ireland was about to expire, and I asked him if he intended to propose the renewal of that Act. The noble Earl replied that he did; but my Lords, you will recollect that Parliament was dissolved without any further notice of the Act, and of course it expired. The result of this was, that the noble Earl stated in the House, when it met again, that the noble Marquis at the head of the Irish Administration felt that he could carry on the Government of that country without any additional powers; and the consequences of the noble Earl having declined to apply to the Legislature beyond the existing laws were, that agitation began again, and that meeting after meeting has again been held from that time to the present moment. This is not all, my Lords; the great agitator, the prime mover of the whole machinery, escaped the execution of the sentence of the law in consequence of the expiration of the Act of Parliament to which I have referred. Well, my Lords, what has since taken place? This very person, the great agitator, whom the Government has prosecuted to conviction, was considered to be a person worthy of the honors which the Crown could bestow; and he received the highest favour which any gentleman of the Bar ever received from the hands of the noble Earl and his Government; he received a patent of precedence, which placed him next the Attorney-General, and above a gentleman who was once Attorney-General, but was still a member of the same Bar. If this was not a premium given to that gentleman to continue his course of disturbing the country, I do not know what else could be so considered. I feel that no more effectual mode could be found to encourage agitation than to reward the promoter of it. But it is not alone in this respect that His Majesty's Government has encouraged agitation. What is the meaning, I ask, of the friends of Government taking the course they have taken out of doors with reference to the Reform Bill? What was the meaning of the letter of a noble Lord in another House, addressed to the

Political Union of Birmingham, in which that noble Lord designated the sentiments of noble Peers on this side of the House as the 'whisper of a faction'? What was the meaning of two friends of Government collecting a mob in Hyde Park and the Regent's Park, on one of the days in which the House of Lords was discussing the Reform Bill? What was the meaning of these individuals directing the line of march of the assembled multitude upon St. James's, and publishing their orders in the papers devoted to Government? and what was the meaning of the publications in the Government newspapers libelling and maligning all those who opposed the Bill? What was the meaning of all these deeds being allowed by the Government, and why did they tolerate and abet them, unless they calculated upon some advantages to themselves in encouraging such agitation? I do not accuse the noble Earl of instigating these mobs. I do not mean to say that he was delighted at seeing my house assailed, or any other work of destruction committed; but I say some of his colleagues, and some of the friends of Government, have encouraged and incited the people to works of violence. I must say that I have long felt on this subject very strongly. I feel that the country is in a most dangerous state. I find the country is in a most dangerous state, on account of Government not taking the proper measures to put a stop to confusion and agitation; and, on the contrary, in place of putting a stop to such scenes, allowing some Lords of His Majesty's household to encourage and instigate the people to lawless acts.

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*February 28, 1832.*

#### EDUCATION IN IRELAND.

The Earl of RODEN denounced the system of education provided by His Majesty's Government for the use of the people of Ireland as at once unwise, impolitic, impracticable, and unchristian.

Lord PLUNKETT and Viscount MELBOURNE advocated the system, which was opposed by the Archbishop of ARMAGH and the Earl of WICKLOW.

*THE DUKE OF WELLINGTON said:*

My Lords, The subject of education in Ireland has occasionally engaged my attention for the last twenty-five years; in fact, ever since I was Chief Secretary for that country; but I have

not, as yet, been able thoroughly to make up my mind as to the course which ought to be pursued. I agree in opinion with the noble and learned Lord, who has declared that opinion with so much eloquence, that any system to succeed must have a foundation in religion, and that it can stand on no other foundation. The noble and learned Lord has truly said, that this is to be desired, not simply from the advantages to be derived from religious instruction, but from the promotion of those habits of obedience and discipline which it is necessary to instil into the mind of youth. I admit that the system proposed by Ministers is, as the noble and learned Lord opposite, and the noble Secretary, have stated, founded on, and justified by, the Reports of the Commissioners and the Reports of the Committees of the other House. But the doubt I entertain is this, whether the system laid down in the Reports, and laid down in the Letter of the Right Honorable Secretary for Ireland, is a system which will inculcate those habits of discipline and obedience which are required by the noble and learned Lords, and which alone will satisfy my mind that in adopting it we shall be doing that which we ought to do. This is my apprehension. What I feel is this, that there is much doubt whether the new system will answer for the education of nearly 500,000 persons in the same advantageous manner as is effected by the existing societies, by the London Hibernian Society, the Sunday School Society, and the Kildare Street Society. What I would say is, that already there is going on a system of religious education, whereby nearer 500,000 than 400,000 persons are instructed—a system of real religious education, founded on the Scriptures, which can be interfered with by nobody, priest or layman, and which is so directed by the Kildare Street Society as not to give offence to anybody; and now, when the Government is about to establish another system (which I admit they are justified in doing by the Reports), I doubt much whether it will not be attended with less advantage than that which already exists. I am, myself, by no means satisfied that the system to be substituted is so good as that which it is proposed to abrogate. If the system is to be changed, I consider that it will, perhaps, be better to have separate schools for the Protestants and Roman Catholics. Although, I admit, this would be attended with many inconveniences, still I am inclined to think it would be better than the scheme proposed, nor do I conceive it would be inconsistent with

the plan suggested by the Reports. The first Report, that of 1812, by no means recommended a system of joint education. The view was, that the Board of Commissioners should have the power of appointing a Roman Catholic or a Protestant school-master; but I do not believe it was their intention that the education should be a joint one. And what makes me think so is this: in a letter from Mr. Leslie Foster, which appeared in the Appendix to the Report of the Commissioners, that gentleman insists that the education should be a joint one, for the children of both persuasions, which he would have hardly thought it necessary to do if such had been the understood recommendation of the Report. Mr. Leslie Foster, I believe, afterwards altered his opinion on the subject; I merely allude to his letter to confirm my own view of the question. As to what has been said by the noble and learned Lord, and the noble Viscount, I differ from them. On the subject of public, as distinguished from private education, I disagree with them. I really cannot see the distinction between public and private education, or why causes of dispute should arise between two classes of persons, if educated by public grants, rather than between the same classes if educated by private means. All classes of persons who are educated together here by their private means, agree quite well together as Englishmen; and I do not see why they should not, in like manner, agree, if they happen to be educated by public grants. I must repeat, my Lords, that I cannot make up my mind that the system recommended by the Reports is a good one.

Petition ordered to lie on the table.

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*March 8, 1832.*

### TITHES, IRELAND.

The Marquis of LANSDOWNE moved a series of resolutions, founded upon the Report of the Committee on Tithes in Ireland, the last of which involved the entire commutation of those tithes for a charge upon land, or an exchange for, or an investment in, land.

After a discussion, in which the Earl of WICKLOW, the Bishop of LONDON, Lord ELLENBOROUGH, and Viscount MELBOURNE took part,

*THE DUKE OF WELLINGTON* said:

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*THE DUKE OF WELLINGTON* said:

I entirely concur with the noble Viscount in thinking that the House has derived some advantage from the appointment of the



Select Committee. I regret much that I have not been so fortunate as to have attended the Committee, for I think I should have addressed your Lordships on the present occasion with much more confidence, knowing, as I do, the importance of your Lordships' decision on the motion before us, not only as it refers to the Church of Ireland, but as it refers to that of England, if I had had the advantage of hearing the opinions of those distinguished prelates who gave their evidence before the Committee. Had I heard their evidence, I should have been better able to judge whether there is anything in the proposed plan likely to affect or injure their interests. However, as I have heard the Right Rev. Prelate (the Bishop of London) declare his approbation of the proposed plan, which approbation was not dissented from by any of the Right Rev. Prelates who sat near him, I assume that the measure proposed, so far as it goes, does meet with their approbation, and consequently that the House may proceed with confidence to take it into consideration, as being approved of by the Right Rev. Bench. I likewise conceive that the Report of the Committee lays open to your Lordships, not only the state of distress of the Clergy of Ireland, which has been so well described by the noble Marquis, and the extent to which the combination prevails, but likewise the unanimous opinion of the Committee as to its origin. The noble Marquis has said—and I beg to remark that, in so saying, the noble Marquis has only done justice to the individuals to whom he referred—that the organised combination to resist the collection of tithes is not attributable to the Clergy of Ireland, nor to the non-compulsive principle of the Composition Act. I will tell your Lordships to what source the existing state of things in Ireland is to be attributed. It is to the system of agitation established there by persons who will never let the country be quiet so long as the noble Lord opposite will permit them to continue that agitation. It is idle to hope that any relief from the payment of tithes would tranquillize Ireland. Your Lordships may rest satisfied, that disturbance and agitation will be carried on, even after the passing of the present measure, unless means are effectually taken to put an end to that plan of organised agitation which is openly avowed to exist among a certain class of the people. I had hoped that means would have been taken to put an end to this system, as well as to the system of tithes, and indeed it is as

much, if not more, required. What does the report of your Lordships clearly show? Why, that the property in tithes is nearly annihilated in Ireland, and that the system of agitation which prevails there has almost totally destroyed the prosperity of that naturally largely-favored country. As to the subject now under consideration, I think it is essentially necessary that measures should be adopted for vindicating the law. That ought to be a primary consideration. There is one point to which I feel anxious to direct attention. From the evidence taken before the Committee it appears that in some instances the Clergymen of parishes in which the Composition Act is in force have found it impossible to collect their tithes for several years. It is admitted that the Government has greater advantages for receiving tithes than the Clergy; and I therefore repeat, that their attempts should be limited to receiving the arrears for the year 1831. I beg to ask, has the Government not sympathy for those unfortunate Clergymen who lost their property, not only in the year 1831, but also for a great part of the year 1829, and the whole of the year 1830? Let me ask, were there not some suggestions made in the course of the examinations before the Committee, that might with propriety be adopted to enable the Clergy, whether their livings are under the influence of the Tithe Composition Act or not, to recover their arrears, even if it should not be thought proper for Government to recover them? This is not the only omission which characterizes that part of the measure. I could have wished the noble Marquis had been a little more explicit with regard to the expense of recovering these tithes by means of the officers of the Government. It surely cannot be intended, first of all, that the Clergyman shall lose his property for two or three years; then, that he shall be paid a small portion only of that property; and lastly, that he shall be called upon to discharge the full expenses incurred by Government in recovering for him that part. I confess, although I am disposed to support Government in many, if not in all, of the plans which they propose to adopt on this subject, I feel great objections to the last Resolution. The only distinct proposition contained in that Resolution is the principle that an extinction of tithes in Ireland is desirable. It is true that the Resolution states that it is intended to provide for the Clergy by some other mode: but how is this to be done? The noble Marquis says, either by imposing upon the landlord a rent-charge,

or else by purchasing land in lieu of tithes. But I wish to be informed whether there is no injustice in forcing upon the landlord the payment of the tithe? Is it quite clear that he will be able to recover his tithe from the occupier of the land, from whom the payment is now due? Or is it quite clear, that, although he may be able, he will be inclined to exercise that power? Is it right or fair to impose upon the landlord the obligation of making this payment, without insuring to him the means of repayment? I understand, perfectly, the right of Parliament to force him to make this payment upon all future bargains for leases of land; but when Parliament imposes upon a landlord who has leased out all his property to individuals the payment of the tithes due from those individuals, and leaves him to recover the repayments from his tenants as he can, it imposes upon him a most grievous hardship; for it may possibly happen that the tenantry may be unable, or may refuse, to pay the tithe, and then the landlord can only indemnify himself by the vexatious and dilatory process of the law. The other plan suggested is the purchase of land. To that I do not see much objection, provided it meets with the approbation of the Right Rev. Prelates. But the consequence growing out of that system would be, that the Government must continue to collect the tithes of the Clergy; either the Government must continue to collect them, or throw the collection upon the landlord; and in either way the matter is involved in considerable difficulty. This would be the case, even as applied to this country; but were such a system adopted in Ireland, where there exist, between the landlord and the occupier of the soil, two, three, or four intermediate tenants, or middle men, the difficulty would become so great as to amount almost to an impossibility. This is not my opinion only; for if your Lordships will refer to the evidence given before the Committee, you will observe that the same sentiment is expressed in several places. I should have been better pleased if the last Resolution had not been proposed until the Committee and the Government were prepared with a detailed plan to carry the extinction of tithes in Ireland into execution. I had much rather the House had not been required at present to vote upon that Resolution; for I feel we are going to hold forth to the people of Ireland the notion, that a system of relief is about to be adopted which we shall hereafter find it impossible to carry into execution. We might very well go as far as the first part of the

Resolution. I think we could enforce, in every instance, an arrangement under the Composition Act; but if we endeavour to go further without a matured plan for carrying it into effect, it would only afford fresh ground for agitation, and for the dissemination of that spirit of dissatisfaction and discord to which I have already alluded. Under these circumstances, although I certainly mean to support the Government in all those measures which, under the particular circumstances in which Ireland is placed, are imperatively called for, I should wish your Lordships not to be required to vote on the last Resolution.

Resolutions agreed to.

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*March 9, 1832.*

#### THE GLOVE TRADE—FREE TRADE.

In moving that a Select Committee be appointed to inquire into the Glove Trade, Viscount STRANGFORD urged the inability of the overtaxed English glovemakers to compete with the French manufacturer, and denounced the Free Trade system as occasioning the distress of these operatives.

Lord AUCKLAND said it was impossible to check the importation of foreign gloves into this country without doing a material injury to the great commercial relations between England and France.

*THE DUKE OF WELLINGTON* said:

I should be the last man, my Lords, to propose to the House that any system should be adopted which would have the effect of altering the policy of this country with respect to its commercial relations; but I wish to say that when free trade is talked of as existing in this country, the assertion is an absurdity. There is no such thing, there can be no such thing, as free trade in this country. We proceed on the system of protecting our manufactures and our produce, the produce of our labor and our soil, of protecting them from importation, and protecting them for home consumption; and on this universal system of protection it is absurd to talk of free trade. I hope this system will continue, and I shall be sorry to see the House depart from it. I concur with what the noble Lord the President of the Board of Trade has said as to the intercourse between this country and France. I am most desirous of not checking that intercourse, but that is not the question which has been brought

forward by my noble friend. The question is whether they shall have an inquiry, not for the purpose of substituting a prohibition for a duty, which by-the-bye is a prohibition to a certain extent, but for the purpose of ascertaining whether some alteration in the present system cannot be made so far as to give the manufacturers a better protection than the duty now affords them; and whether some satisfaction ought not to be given to the glove manufacturers by proving to them that the distress they are suffering is not the result of the measures of the Government. I think they ought to have that inquiry. Some say the duty is too high, and that therefore there is smuggling; some say it is too low, and that therefore the importation of foreign gloves is too great. The only means of deciding between these opposite opinions is to grant a Committee. The very statement of the noble Lord shows that it is desirable to have a Committee, for then you can agree as to those facts which I have stated, and thus satisfy those who now complain that the cause of their distress is either one for which no remedy can be afforded by the Government, or that, if the Government possess a means of affording a remedy, they are ready to give it. When I was on the other side of the House, two Committees were granted under similar circumstances. The first was upon the wool-trade, the other on the coal-trade. At the time these Committees were moved for I declared the opinion of the Government, that, after the fullest consideration of the question relating to the wool duties, we should not be able to alter those duties; and after the Committee had sat, no alteration did take place. In the same manner a Committee was granted to inquire into the state of the coal-trade, although I stated at that time that the Government could not consent to any alteration either in the King's duties or the City duties, in consequence of any result of that inquiry. Now my noble friend only asks for a Committee of Inquiry, without pledging the Government to make any alteration when that inquiry has taken place. Under these circumstances, without feeling a strong hope that anything will or can be done towards improving the condition of the glove manufacturers, I feel it right to vote for the Committee, in order to allow the case to be fully investigated.

Motion lost by 41 to 33.

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*March 12, 1832.*

### DISTRIBUTION OF GOVERNMENT PATRONAGE.

In a discussion initiated by the Earl of ELDON, who vindicated himself from a charge, made elsewhere, that he had exercised his patronage while Lord Chancellor unduly in favor of his own connections,

*THE DUKE OF WELLINGTON* said :

My Lords, I am always disposed to deprecate allusions by your Lordships to statements made elsewhere, as likely to lead to mischievous inconvenience ; but I feel that my noble and learned friend (the Earl of Eldon) is justified in the course he has pursued this evening. My noble and learned friend has been attacked for having, in the exercise of the patronage of his office, not overlooked the interests of his own family. To be sure he did not, and he ought not. If he had overlooked his own friends, he would only have departed from the practice of all his predecessors. Let me remind your Lordships that, for at least a century and a half back, the Lord Chancellor and other judges have invariably dispensed the patronage attached to their offices in favor of their own immediate relations : so that my noble and learned friend, in providing for his own family as well as he could, only acted according to the uniform and acknowledged practice of all his predecessors. The fact is that the office of Lord Chancellor would be very inadequately remunerated unless the individual filling it possessed such means of providing for his family ; and I believe it will be found out before long, that, what with this inadequate remuneration, and what with stripping off so much of the Chancellor's patronage, and what with the surrendering up so much of his bankruptcy fees, the remuneration will be so inadequate to the labor and change of habits that few eminent gentlemen of the bar will be disposed to accept of it. For the same reason that I justify my noble and learned friend, I will say that the noble and learned Lord opposite (Lord Plunkett) is justified in the exercise of his official patronage. That noble and learned Lord has a large family, and he is perfectly right in placing them in those situations to which their abilities and pretensions are adequate. The noble and learned Lord will only be to blame if he places them in situations to which their abilities are not equal, and that has not been even insinuated in the course of the discussion. I will therefore say that the noble

and learned Lord is perfectly justified in the course he has pursued ; and I will say more, that his high office and his great intellectual influence fully entitle him to expect that the Government, of which he is a member, should give his family a preference in filling up any situations to which, as I have said, their abilities are equal. I agree with the noble Earl (Grey) in hoping that this will be the last that we shall hear of this senseless outcry against public men for not having overlooked the ties of blood and nature in disposing of the patronage of office. The time of the House is but ill spent with such discussions. Indeed I am sure that nothing can tend more to injure its character in public estimation than these inquisitorial investigations of the family affairs of men in high stations. At all events they tend more to lower the House than to benefit the public, and the sooner your Lordships put an end to them the better.

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*March 16, 1832.*

#### AFFAIRS OF BELGIUM.

*THE DUKE OF WELLINGTON* said :

I rise, my Lords, pursuant to the notice I have given, to call for certain documents with a view to prove the inaccuracy of some statements in the late exposition of M. Perier in the Chamber of Deputies, relative to the settlement of the affairs of Belgium after the late revolution. If these statements had appeared in the shape of ordinary newspaper representations or remarks, I should not have thought such a ground sufficient for giving your Lordships any trouble on the subject. But this is not an ordinary newspaper statement. It is an elaborate speech and exposition, delivered by the high authority of the French President of the Council, containing an account of the proceedings of the French and other governments relative to the settlement of the affairs of Belgium ; and I feel myself bound to say that in this exposition there are many erroneous and even false representations in which the Government of this country is nearly concerned. I think it due to the honor of the Government of His Majesty, and to that of the Governments of his Allies, to address a few words to your Lordships on the subject, and to call for documents which will show whether

the imputations of M. Perier are deserved or not. I will begin by calling your Lordships' attention to some passages of the speech on which I mean to comment. The first is as follows:—'The revolution of Belgium broke out at the close of September, 1830; but such was at that moment the general conviction of all persons as to the advantages of maintaining peace, and consequently the respect due to treaties, that no one at first thought of seizing that revolution as an advanced position against the European system, nor of making use of it as an army menacing alike peace and the treaties on which it is based. Perhaps the French Government could then discover some embarrassment; but the rapid march of events, and the sympathies suddenly awakened in favor of Belgium, the considerations of neighbourhood, and the interests of frontiers, decided the Government of the King to support the Belgian revolution, always in laying aside previously all idea of ambition, and consequently avoiding all grounds of collision with the other powers. This was the means of rendering this protection efficacious to Belgium. It was an opportunity of explaining fairly to Europe the true spirit of the revolution of July, in its exterior relations. France of July was about to establish her diplomacy. Upon this first step depended the nature of her relations with the other Governments and people; in this was comprehended her futurity of peace and war. Well then, Gentlemen, the conduct of Government at that epoch, in affording a pacific but efficacious support to the Belgians, was approved of by the country, salutary for Belgium, and decisive for the system of peace. Let us not lose sight of this point of departure, since the policy of Government has had a continual reference to it, and because it could not, at the present moment, be consistently reproached for its fidelity to principles which had been unanimously recognised. Such was the well-understood interest of the revolution of July, in its material as well as its moral relations; for if a war party had existed at that time, which—regardless of the horrors of a revolution whose moderation was its force—should have called for invasion and conquest, what could it have required, what would it have been able to accomplish, in the then military situation of France, after the dissolution of the Royal Guard, the dismissal of the Swiss, the division of our forces in Algeria and in Greece, and, lastly, the desertion organised by the spirit of party, and the employment of extraordinary troops in the west? The most declared advocates of war



sarily bound by them ; and if, by his subsequent conduct, it appears that there is any departure from their provisions, it follows that he has violated the terms on which his sovereignty was recognized. Now I contend that if M. Perier's version of the conduct of the French Government, with respect to Belgium, is a true one, Louis Philippe has violated the condition of his recognition ; for among the treaties to which he was admitted, and by which he is bound, is one preserving the integrity of the kingdom of the Netherlands. I need hardly remind you that, by the Treaty of Peace of 1815, Belgium was made over to the King of Holland, and I need hardly remind you either that the King of France was an important party to that treaty. The man therefore who represents the King of the French as 'encouraging and promoting' the Revolution of Belgium, represents that monarch as a violator of a solemn compact. I admit that the King of the French has not violated that compact ; but I appeal to your Lordships whether the statement which I have read does not, in so many words, represent him to have broken it. I repeat that the words of M. Perier are neither more nor less than a charge against his master of having violated a treaty to which he was a party ; but I also repeat, the error is M. Perier's only. The papers for which I shall move will place this beyond a doubt, for they will make it evident that from the first moment of the breaking out of the Belgian Revolution in August, 1830, to the last moment of my quitting office, the French Government faithfully observed the treaty to which the five great Powers were parties, and which amalgamated Holland and Belgium ; and that it acted, in fact, precisely the reverse of what M. Perier has represented. One of these papers will show that the French Foreign Secretary disclaimed, at the very outset, all interference with the affairs of Belgium. So far, indeed, from interfering, or from promoting the Belgian Revolution, the French Government, on three different occasions, voluntarily, without the remotest solicitation on the part of the British Government, declared its willingness to co-operate in preventing the consequences : first, when the Prince of Orange entered Brussels ; again, when he left that place ; and last of all, when Prince Frederick made that attack on Brussels in which he unfortunately failed. Indeed the French Government of the time rendered itself obnoxious to the movement party by its conduct towards its brother revolutionists in the Netherlands ; and, in

the words of M. Perier, felt itself consequently much embarrassed. Nor was this all. The French Government not only did not encourage the Belgian Revolution, but it zealously offered to co-operate with the other Powers in preventing the separation of Belgium from the sovereignty of the House of Orange. It expressed its anxiety to devise some means or other by which Belgium could be restored to the King of Holland, and was among the last of the parties to the Treaty of 1814 to despair of being able to effect that object. I speak confidently on this head, having been then myself in office ; and I have reason to know that, even after I left office, the French Government expressed to the British Minister its anxiety to attempt again the restoration of the sovereignty of the House of Orange. There is to this effect a letter of which the noble Earl and the French Ambassador cannot be ignorant, written, as well as I recollect, in the month of February. Without that letter, however, there are sufficient documents to prove that the allegations of M. Perier are wholly unfounded ; and that France, so far from encouraging the Belgian Revolution, did her utmost to avert its consequences. I am aware that the independence of Belgium was assumed as a preliminary condition, under the Conferences held for the settlement of the affairs of the Netherlands, under the direction of my noble friend the Earl of Aberdeen, who was then Secretary of State for Foreign Affairs ; but this was not until the failure of Prince Frederick's attack on Brussels had demonstrated the impossibility of preserving the union of Belgium and Holland. It is true, and this is the only transaction that can afford the slightest coloring to M. Perier's statement, that at this Conference the French Ambassador represented his Government as opposed to all foreign interference by means of force in the settlement of the Belgian question ; and it is also true that this communication was made before a despatch from the Hague requested our military aid to effect the reconquest of the Belgian provinces by the King of the Netherlands. That aid the British Government at once refused, convinced that the peace of Europe could not be preserved if other nations interfered with arms in the affairs of Belgium. But in stating this, I most distinctly deny the assumption of M. Perier that other nations had evinced an intention of interfering by force. The British Government had no such intention, nor had any of the other Powers ; and I will add that the French Government knows that such was the fact. There is

sarily bound by them ; and if, by his subsequent conduct, it appears that there is any departure from their provisions, it follows that he has violated the terms on which his sovereignty was recognized. Now I contend that if M. Perier's version of the conduct of the French Government, with respect to Belgium, is a true one, Louis Philippe has violated the condition of his recognition ; for among the treaties to which he was admitted, and by which he is bound, is one preserving the integrity of the kingdom of the Netherlands. I need hardly remind you that, by the Treaty of Peace of 1815, Belgium was made over to the King of Holland, and I need hardly remind you either that the King of France was an important party to that treaty. The man therefore who represents the King of the French as 'encouraging and promoting' the Revolution of Belgium, represents that monarch as a violator of a solemn compact. I admit that the King of the French has not violated that compact ; but I appeal to your Lordships whether the statement which I have read does not, in so many words, represent him to have broken it. I repeat that the words of M. Perier are neither more nor less than a charge against his master of having violated a treaty to which he was a party ; but I also repeat, the error is M. Perier's only. The papers for which I shall move will place this beyond a doubt, for they will make it evident that from the first moment of the breaking out of the Belgian Revolution in August, 1830, to the last moment of my quitting office, the French Government faithfully observed the treaty to which the five great Powers were parties, and which amalgamated Holland and Belgium ; and that it acted, in fact, precisely the reverse of what M. Perier has represented. One of these papers will show that the French Foreign Secretary disclaimed, at the very outset, all interference with the affairs of Belgium. So far, indeed, from interfering, or from promoting the Belgian Revolution, the French Government, on three different occasions, voluntarily, without the remotest solicitation on the part of the British Government, declared its willingness to co-operate in preventing the consequences : first, when the Prince of Orange entered Brussels ; again, when he left that place ; and last of all, when Prince Frederick made that attack on Brussels in which he unfortunately failed. Indeed the French Government of the time rendered itself obnoxious to the movement party by its conduct towards its brother revolutionists in the Netherlands ; and, in

the words of M. Perier, felt itself consequently much embarrassed. Nor was this all. The French Government not only did not encourage the Belgian Revolution, but it zealously offered to co-operate with the other Powers in preventing the separation of Belgium from the sovereignty of the House of Orange. It expressed its anxiety to devise some means or other by which Belgium could be restored to the King of Holland, and was among the last of the parties to the Treaty of 1814 to despair of being able to effect that object. I speak confidently on this head, having been then myself in office ; and I have reason to know that, even after I left office, the French Government expressed to the British Minister its anxiety to attempt again the restoration of the sovereignty of the House of Orange. There is to this effect a letter of which the noble Earl and the French Ambassador cannot be ignorant, written, as well as I recollect, in the month of February. Without that letter, however, there are sufficient documents to prove that the allegations of M. Perier are wholly unfounded ; and that France, so far from encouraging the Belgian Revolution, did her utmost to avert its consequences. I am aware that the independence of Belgium was assumed as a preliminary condition, under the Conferences held for the settlement of the affairs of the Netherlands, under the direction of my noble friend the Earl of Aberdeen, who was then Secretary of State for Foreign Affairs ; but this was not until the failure of Prince Frederick's attack on Brussels had demonstrated the impossibility of preserving the union of Belgium and Holland. It is true, and this is the only transaction that can afford the slightest coloring to M. Perier's statement, that at this Conference the French Ambassador represented his Government as opposed to all foreign interference by means of force in the settlement of the Belgian question ; and it is also true that this communication was made before a despatch from the Hague requested our military aid to effect the reconquest of the Belgian provinces by the King of the Netherlands. That aid the British Government at once refused, convinced that the peace of Europe could not be preserved if other nations interfered with arms in the affairs of Belgium. But in stating this, I most distinctly deny the assumption of M. Perier that other nations had evinced an intention of interfering by force. The British Government had no such intention, nor had any of the other Powers ; and I will add that the French Government knows that such was the fact. There is

another circumstance which I consider very material in reference to these transactions, and one which, in a remarkable degree, evinces the feeling of the French Government throughout the transaction—namely, that the French Minister admitted at once that Luxemburg stood on a different footing, inasmuch as it was part of the German Confederation; and that, while he objected to the sending of troops into Belgium, he did not resist the despatch of an expedition into Luxemburg, should such an expedition be deemed necessary. It was known that the restoration of the House of Orange by a military force was impracticable, after the Dutch troops had been driven from Brussels. With these facts before your Lordships, I think you must be of opinion that this is a case into which Parliament ought to inquire, by requiring the production of papers. As a precedent for my motion, I beg to refer the noble Earl to a proceeding of the same kind in which he was himself concerned, when he procured the production of a document to set right the conduct of this country in relation to a passage in the speech of the King of the French. I only ask that this precedent should be followed in the present instance. I trust I have succeeded in making evident to your Lordships the positions for which I have been contending—namely, that the existing Government of France is bound by the treaties into which former Governments have entered; that, under the influence of such a consideration, the King of the French avoided, during the period I have specified, any encouragement of the Belgian Revolution; and that the conduct of the then Government of this country was in perfect conformity with the principles it professed. For the better and more indisputable establishment of these truths, I hope the noble Earl will agree to the production of the papers which I now ask for. I move ‘That an humble Address be presented to His Majesty, to request His Majesty to give directions that the following papers may be laid before this House:—Copies or Extracts of the following Despatches from the Earl of Aberdeen to Lord Stuart de Rothsay, G.C.B., His Majesty’s Ambassador at Paris:—

Dated September	5,	1830.	No.	50.
„	28,	„	No.	53, with the enclosures.
Dated October	3,	„	No.	55.
„	15,	„	No.	58, with four enclosures.
„	22,	„	No.	61.
„	22,	„	No.	62.
„	24,	„	No.	63.
„	26,	„	No.	65, with two enclosures.

‘ Copies or Extracts of the following Despatches of Lord Stuart de Rothsay, G.C.B., to the Earl of Aberdeen :—

Dated August	30,	1830.	No. 456.
„	31,	„	No. 462.
Dated September	3,	„	No. 467, extract.
„	6,	„	No. 476.
„	10,	„	No. 480.
„	13,	„	No. 482.
„	17,	„	No. 497, extract.
„	20,	„	No. 508.
„	24,	„	No. 518.
Dated October	1,	„	No. 527.
„	4,	„	No. 533.
„	8,	„	No. 540.
„	11,	„	No. 545.
„	15,	„	No. 552, extract.
„	19,	„	No. 566.
„	25,	„	No. 576.
„	25,	„	No. 579.
„	25,	„	No. 580, extract.
„	29,	„	No. 583.
Dated November	6,	„	No. 609.
„	8,	„	No. 612.
„	8,	„	No. 613.’

Earl GREY, in objecting to the production of the papers, as inconvenient for the public service, reminded the noble Duke that the speech on which he had founded his motion was not a document which had been officially communicated to His Majesty’s Government. He assured the noble Duke that the character of his Government was maintained, as there was now the distinct declaration that no armed intervention, or other proceeding inconsistent with professions of non-interference, had been projected by the Government of this country during the noble Duke’s government.

*THE DUKE OF WELLINGTON* said:

My Lords, If I were not already satisfied, as I am, I can assure the noble Earl that his declaration, that to produce these papers would be inconvenient to his Majesty’s Government, would alone suffice to induce me to withdraw my motion; and I will, therefore, with the leave of the House, do so. At the same time, I must address a few words to the House. It is certainly true that the speech to which I have alluded is but the speech of a minister in one of the Chambers, but it is also true that it has appeared in a manner and in a shape in which no speech of any Minister of this country has ever before been circulated. When the noble Earl came down with the documents respecting the French King’s Speech, it is true he did so by the King’s command; but there is also another answer to that speech, in a letter written by the

Prince of Orange, on his leaving this country in the month of January. Having said this much as to the documents, I will now say one word as to any threat having been held out in any quarter. On looking over all the correspondence of the time, it will be seen that this Government has been not only on terms of friendship with the French Ministry, but also with the Ministers of all the Allies in Europe; and if there had been any intention hostile to France, or any jealousy felt in France of such an intention, the Government here must have known it. But I have no recollection of any intention, on the part of any of the Powers, to interfere in the Belgian revolution, or of any intention, or intimation of an intention, on the part of France to resist them. I will only add, that I am pleased at what has taken place during the discussion, and I beg leave to withdraw my motion.

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*March 26, 1832.*

#### PARLIAMENTARY REFORM.

The Reform of Parliament (England) Bill having been brought up from the Commons, and read a first time,

Earl GREY moved that the Bill be read a second time on Thursday, the 5th of April.

The Earl of HARROWBY stated the reasons which had induced him, he having opposed the former Bill on this subject, to support the present measure.

Lord WHARNCLIFFE also stated the reasons which induced him to take the same course.

*THE DUKE OF WELLINGTON* said :

I think myself called upon, my Lords, after what has passed, to say a few words, although this is not the best stage for the discussion of the question, and is, indeed, a stage in which it will be best to avoid discussion. But one noble friend of mine has thought proper, in this stage of the Bill, to state the grounds on which he will support the second reading, and he has been followed in that course by another noble friend of mine; and under these circumstances I hope your Lordships will permit me to make a few observations, with a view of stating why I cannot follow the example of my noble friends, and in order to set myself and my own opinions right with the House. The noble Earl (Harrowby) has stated the reasons which induced him to depart from the course which he adopted with respect to the former Bill, and

adverted to various differences which exist between that Bill and the present. But then the noble Earl at the head of his Majesty's Government insists that, though some alterations have been made and changes introduced, yet the Bill is really and truly, and in principle, exactly the same measure which was brought up to this House last year, and to which your Lordships refused to give a second reading,—that is really the point in the case, and it is the point which your Lordships have now to consider. The question is not whether some minor alterations have been introduced into the present Bill, or whether it differs in some minor points from the former Bill,—the question is, whether the Bill, in its present state, is such as can afford any reasonable prospect that, after having passed the second reading and the other stages, it will be a measure compatible with the existence of a practicable scheme of Government for this or any other country? The question is, whether the measure is compatible with conducting the Government in any way; and whether, if it is compatible with any regular Government at all, it will not render the conduct and course of the Government necessarily most pernicious? The principle of this Bill is not reform; it is disfranchisement, enfranchisement—the placing the right of voting on a different footing—changing the foundation of the representation, and, when accompanied, as it will be, with other Bills, producing a complete revolution. The Bill for Scotland proceeds upon a total and complete revolution of the state of the representation in that country; and the Bill for Ireland proceeds upon a complete alteration of the principles which Parliament sanctioned three years ago. This is what your Lordships have now to consider. My own opinions, in regard to reform, are precisely what they have been heretofore; but the question now stands on a different footing, and your Lordships are placed in a somewhat different position. Whatever may be my notions as to what may be conceded in favor of reform, I see no hope at all that the present Bill can be made such a measure that it may be, for any good purpose, adopted. As for myself, I am actuated by no party motives; I have no party purposes to serve, and there can be no one who has less occasion for party support or Parliamentary interest. I have the same interest in the subject now under consideration as others have; and that is an interest that a wise, good, and practicable system of Government shall exist in the



country. The noble Earl (Harrowby) who spoke first, and the noble Baron (Wharnccliffe) who followed him, have fairly explained the course which they propose to adopt. I differ from them. What my opinion is in regard to this Bill will be made manifest when we come to the proper state for discussion, which will be on the motion for the second reading. If, however, your Lordships should decide to go into Committee, we ought to look to the introduction of such improvements as shall place the state of the representation on a proper footing, as it is on the state of the representation that all good government must ultimately depend.

Bill ordered to be read a second time on the 5th of April.

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March 27, 1832.

#### PLURALITIES BILL.

In Committee on the Pluralities Bill, moved by the Archbishop of CANTERBURY,

Lord SUFFIELD having moved several amendments,

*THE DUKE OF WELLINGTON* said:

I think the present measure well deserving of support, and that it goes as far as any measure of the description ought to go under the present circumstances. The Church, it must be remembered, is in a very anomalous situation. There are some bishops who have not above 800*l.* a-year; and I believe I might name one whose bishopric is not worth more than 500*l.* a-year. It was the object of one of the noble Lord's amendments to make the incomes of the bishops 3500*l.* a-year. I wish to know whether this was to be the *maximum* or the *minimum* of the bishops' incomes? The bishops have many heavy expenses; and it is necessary for the dignity of the National Establishment that they and their families should be supported in a state of respectability. Some discretion, therefore, should be left in the Crown as to the disposal of Church patronage. I therefore entirely dissent from the noble Lord in thinking that the House can with propriety fix the amount which a bishop shall enjoy. Your Lordships cannot undertake to say that 3500*l.* will be too much or too little for a bishop—the Crown alone is the fitting judge. As to a bishop

holding a living with the cure of souls attached *in commendam*, I am not prepared to advocate the practice ; but I believe it would be impossible to provide adequately for those holding poor bishoprics, unless they are allowed to hold livings *in commendam*. The object of the Most Rev. Prelate in this Bill, if I understand it rightly, is to put under strict regulations the grant of pluralities. Under these circumstances I hope the noble Lords opposite will allow the Bill to go through Committee, which will not prevent them from bringing forward other propositions connected with the subject hereafter.

The Bill went through Committee.

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*April 6, 1832.*

### THE MAGISTRATES OF WESTMEATH.

The Marquis of WESTMEATH, in a speech depicting the systematic resistance to law in Ireland, moved for a copy of the Address of the Magistrates and Governor of Westmeath to the Lord Lieutenant, and of the answer thereto.

After some discussion,

*THE DUKE OF WELLINGTON* said :

My Lords, I regret as much as any man the warmth which creeps into the discussions on Irish subjects, and it shall always be my desire to allay it ; but I beg to remind your Lordships that this irritation is not the growth of the present day ; it has, in fact, existed ever since the two countries were united. It is quite clear, from papers already before your Lordships, that the state of Ireland is most melancholy, there being no security there either for life or property. I can tell the noble Lord at the head of the Administration, who seems to expect a speedy termination of the agitation and of the revolutionary spirit that has manifested itself in the counties of Kilkenny, Queen's County, King's County, and Tipperary, that it is idle to hope for such a consummation. Those counties are, at this moment, from a total absence of all law and protection to the subject, in a situation which, unless the Government is prepared to send into each of them a sufficient force to quell the state of anarchy, under which no man can deny they are laboring,—in a situation, I say, which nothing will mend or improve. The revival of the Insurrection Act is called for ; but is

Government sure that even the Insurrection Act alone would be sufficient? In my opinion it would not be effective, for your Lordships should recollect, that by far the most atrocious, as well as the most numerous acts of violence, are said to be committed during the daytime. I do not positively know whether such is the case, but, at all events, it is so stated in the public papers. A cry has been raised against the gentry of Ireland for calling on the Government for the enactment of such a penal statute as the Insurrection Act. I admit that its powers are most extensive, and that, on trifling occasions, it would be the highest impolicy, nay, worse than impolicy, to listen to any application for its revival. At the same time, your Lordships cannot be astonished if gentlemen struggling under that state of things which exists in Ireland should feel that they cannot rely upon their property being secured to their children, when they see that the laws of the country cannot be enforced, as no witness to acts of violence can, from the effect of intimidation, be induced to come forward. Such being the case, I repeat, your Lordships cannot feel astonished if the gentry say that a spirit of combination reigns throughout that country, and, at the same time, call upon you, in energetic terms, to put down that combination, and to enact measures that will enable the authorities to carry the law of the country into execution. I do not hesitate to say, that I look upon the state of Ireland with the most gloomy and clouded anticipations. I see, in the first place, that the magistrates of that country have no confidence in the Government; and, on the other hand, I cannot shut my eyes to the fact that the Government places no confidence in the magistrates. In such a state, what but anarchy—what but confusion—what but combination, and that of the most disastrous description, can prevail? Allusions have been made, in the course of the debate in which your Lordships are now engaged, to a document signed by the noble Marquis at the head of the Government in Ireland, in which that individual expresses his sentiments on the state of that country—a document which, coming from such authority, cannot fail to excite a gloomy and responding impression. It is said that the statements in that letter are, in a degree, exaggerated, and that there is no reason for the expression of so strong an opinion on the part of its noble author. I do not think so. On the contrary, I am confident that the Lord-Lieutenant of Ireland had reason to express the senti-

ments which he conveys in that paper, and at the same time I am ready to give full credence to what the noblemen and gentlemen have stated respecting the landed gentry of the country. From my residence in Ireland, I am enabled confidently to assert, that no set of men are more anxious to perform the duties which they owe to the country, and to discharge the labors incident on the magisterial capacity, than the landed gentry in Ireland. They do their utmost to restore in the country the peace which it has lost ; but the success of their exertions must eventually depend on their uniting with the Government. I would recommend to them to endeavor, in every possible way, to secure the peace of the country, and to set the example to those who are not in the same state of life with them. Above all, let them, as far as they possibly can, maintain an union between themselves and the Government. It is not, however, to them alone that I would offer my advice. I would recommend the Government to adopt every possible means, and that without delay, to conciliate the confidence of those gentlemen. I cannot help feeling that those gentlemen have some reason to complain of the conduct of Government. I am one of those who think that, if Government intend that the gentry of Ireland should give their real and effectual assistance in keeping the peace of the country, it should afford them its support, countenance, and assistance, on every occasion that their conduct and measures in the preservation of peace may make them the object of party malice or unjust attack. It is, above all things, necessary, that between the Government and the gentry there should be no petty cavilling about trifles. If gentlemen perform their duty without incurring the charge of malicious rigor or improper motives, they ought to be protected, and ought not to be punished for any trivial mistake or error in judgment of which they may be guilty, or because they may happen to be obnoxious to any party in the country. Allusion has been made by a noble Lord to the case of Captain Graham ; and although I am not desirous of going, on the present occasion, at any length into this subject, as it is shortly to come before your Lordships in the shape of a substantive motion, I beg leave to offer a few observations respecting it. In explanation of the treatment by Government of that individual, it is said that the Lord-Lieutenant had expressly stated to him his disapproval of the yeomanry being called out. Now, how does the case stand ? Has every magistrate in Ireland,

who did not signify his concurrence in such disapproval, met with the treatment that Captain Graham suffered? Certainly not; and that such is the case will appear from these circumstances:—In consequence of the expression of disapprobation on the part of the Marquis of Anglesey, to the calling out of the yeomanry, two magistrates, Captain De Renzy and Mr. Trevor, threw up their commissions, alleging a conviction that the maintenance of the peace is impossible, unless the magistracy are armed with extensive powers. To those gentlemen the Lord-Lieutenant addressed circular letters, desiring that they would continue in the Commission of the Peace. But what was the treatment of Captain Graham? He was put upon his trial, and a solemn inquiry was entered into in a Court of Law, the result of which was a complete and honorable acquittal, the Grand Jury at the same time stating that he was entirely innocent of all the charges brought against him, and that there was not the slightest ground for any imputation on his character. But what did His Majesty's Ministers do? Why, notwithstanding the acquittal, they immediately directed his name to be struck off the Commission of the Peace; and although no blame was imputable to him, except that he was obnoxious to one particular party, they, in defiance of every principle of justice and of honorable treatment, thought proper to fix a stigma on his name. I repeat, I cannot divine on what principle of common fairness it is, that this gentleman, an individual of property and respectability, having for many years served His Majesty, whose only crime was a successful resistance to a very serious attempt to disturb the peace of the country, and to resist the execution of its laws, should be punished, after he had been in a solemn manner honorably acquitted by a jury of his fellow-countrymen. The cause is, however, very apparent. It cannot be denied that all this was done because Captain Graham, unfortunately for himself, was odious to a particular party in the country. Well, what has been the natural consequence of this weak and temporizing conduct on the part of the Government? Undoubtedly it has induced a feeling among the magistracy of Ireland, that they incur personal responsibility in taking strong measures for the preservation of the peace, and, of course, they slacken in the performance of their magisterial duties. But is the case of Captain Graham the only case in which a weak spirit of temporizing has been evinced? Does not the evidence taken before the Title

Committee, in almost every page, display similar acts of weakness and lack of resolution? There is one case to which I will beg particularly to refer. It appears, a large body of men assembled near Thomas-Town, for the purpose of expressing their resistance to tithes. The magistrates read the Riot Act, and desired them to disperse. They did disperse for a time, but afterwards returned to the ground, the result of which was that forty-one persons were taken up and imprisoned, all being guilty of a breach of the Riot Act in not dispersing within one hour of its being read, and of their being ordered so to disperse by the magistrates. What course, my Lords, did the Irish Government pursue on that occasion? A special order of the Lord-Lieutenant was sent down, and the forty-one individuals imprisoned for a breach of the law were set at liberty within one day of their imprisonment. As it is stated in the evidence taken before the Tithe Committee, the consequence of this Act was a general, and I cannot but admit a very natural expression amongst the people at large, that the Government are not in earnest in their condemnation of the system of resistance to the payment of tithes, and, among the magistrates, a feeling that, in any forcible measure which they might deem it their duty to adopt, they are not likely to have the support of Government. Nothing could, I think, be more impolitic than was the decision of the Government in the case to which I allude, inasmuch as it operated to deprive them of the confidence of the gentry of the country; and I can tell the Government, and I can tell the Lord-Lieutenant of Ireland, that, no matter what law or what force they may deem it requisite to employ, until they have the assurance of the co-operation and confidence of the landed proprietary of the country, they may rely upon it that the country never will be peaceful. It is not law, nor troops, nor the exercise of force that is wanted in Ireland: it is conciliation between the Government and the landed proprietary of the country. I recollect perfectly well that Lord Sidmouth, who was in office at the period of the Manchester Riots, wrote down to express the thanks of the Government to the magistrates for their conduct on that occasion. I regret that a similar course was not adopted on the occasion of the conflict at Newtown-Barry. It were indeed worth the while of His Majesty's present Ministers to take a lesson from Lord Sidmouth, for they may rely upon it that it is the best lesson in the matter that could be given them. There is one observation

which I desire particularly to make before I sit down. I fully agree with the noble Earl (Grey), that, if any force is to be called into action for the suppression of disturbances in Ireland, the regular force, and not the yeomanry, should be employed. I do not give this opinion from any dislike of the yeomanry; on the contrary, that force appears to me most useful and constitutional; but its members are liable to be influenced, particularly in Ireland, by party spirit, which might lead them to the exercise of greater violence than might be either prudent or desirable. I should, therefore, if it be resolved to apply force, prefer voting an increase to the standing army, to the consenting to the employment of the yeomanry corps.

Motion agreed to.

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*April 10, 1832.*

#### PARLIAMENTARY REFORM.

On the motion that the Reform of Parliament (England) Bill be read a second time,

*THE DUKE OF WELLINGTON* said:

My Lords, I shall commence my observations by expressing the deep concern and pain I feel in offering myself to your Lordships on the present occasion, having to express a different opinion from that of my noble friend (Harrowby) who has just sat down. After having served confidentially for many years in a Government in which my noble friend was a principal Minister—after having subsequently sat in the Council with him for five years—when I was called upon last October to consider this question, having had the satisfaction to follow my noble friend's lead and counsel in the vote which your Lordships then agreed to, I certainly feel no common regret at being compelled to differ from my noble friend on this occasion. Your Lordships may conceive, knowing as you do the satisfaction with which I formerly heard my noble friend's speech, the pain with which I now feel myself bound to advert to that speech, and to compare it with what has fallen this night from my noble friend, which I must yet do in order to obviate the mischief that might befall from your Lordships feeling the same confidence in my noble friend now that

you justly reposed in him last year. I am sure, however, that my noble friend will not feel that I am wanting in personal respect, although I feel compelled to pursue this course. On that occasion the noble Earl stated that the question was to show whether you approved of the principle of the Bill by voting for the second reading; and the noble Earl then voted against the second reading, because he did not approve of the principle. The noble Earl then said, 'The principle and object of the Bill are to make the Constitution more democratical. Look to the consequences. When that assembly, which has already become the chief governing power of the State, attains to be not only the governing power, but the Government itself, and suffers itself to be guided by other assemblies of another description, such as have recently been formed in the north, and especially at Birmingham—when these come with their directions for our conduct thundering over our heads, what, I ask, will be the kind of Government then presiding over the interests of the country? What is it that we are to expect from a Legislative Assembly so constituted and so directed?' The noble Earl, after addressing your Lordships in a speech of upwards of two hours' duration, which was listened to with the greatest delight, and every word of which proved the soundness of his doctrines, came at last to the conclusion—'We are told by the noble Earl that we have no option but to take this Bill as it is—to adopt at once a proposition which is to consign us and our posterity to a new form of government, which no one has ever ventured to tell us would be practicable, and which, if it were practicable, would, in my opinion, be pernicious.' These were the sentiments of the noble Earl with respect to a Bill, than which the noble Earl opposite (Earl Grey) tells us the present measure is no less effective, and which indeed we all know to be the same Bill, and one also which, if the noble Earl (the Earl of Harrowby) is to be believed, can produce no beneficial effects. Then I will ask the noble Earl how could he say that we must read this Bill a second time and go into Committee in order to adopt such a Bill? What are the grounds that he assigns for this new course? The first is, that this Bill has been sent a second time up from the House of Commons, and has passed there by an increasing majority. Now, I must advert again to what has been said, I believe by the noble Earl, but certainly by the noble Lord at the table (Lord Wharnccliffe), as to the effect



this would have on the constitution of the House of Commons. That noble Baron, in March, 1831, foretold to the Government what would be the effects of a general election, namely, that it must cause the return to the House of Commons, not of Members, but of delegates, and that its result would be to place the House of Lords in the situation in which it stood last year, and is now again placed on the present occasion. Is everything then to be given up because the noble Lord opposite has taken that course? Is this House to be destroyed, or must it lend its aid to destroy the Constitution because Ministers choose to persevere? The only remedy for this would be to place things as they were before the agitation commenced, to restore calmness before deliberating; and your Lordships ought rather to address the King to remove the Ministers from their places, and put things as they were before, in order that the House may have a fair opportunity for discussion, than proceed at present to read this Bill a second time. I will ask, is the country to be handed over to a Government which is not in any manner practicable? Is the security of all the institutions of the country to be brought to risk, because the House of Commons is in a state which prevents it from giving to this Bill a deliberate consideration? All the arguments regarding the decisions of the House of Commons must come to the same end. There will, no doubt, be ten decisions of the same kind, if it be left to the same House, because that House is pledged and returned for the purpose. But the country is not to be abandoned on this account. I altogether deny that the difficulty now experienced is chronic, as has been stated by the noble Earl; it is only temporary, and is to be removed by the Government that raised it. The next point of the noble Earl is the opinion of the country. Now, there can be no doubt whatsoever that there was no opinion existing in the country, in the year 1829, and the beginning of 1830, on the subject of Parliamentary Reform. That is a fact which was fully admitted, notwithstanding the cheers of noble Lords, and I will say it may be taken for granted. Then came the French Revolution, and the insurrection in Belgium, which occurred at the commencement of the elections of 1830; there is no doubt that these events occasioned a very great excitement and alteration in the elections, as well as greatly inflamed the people with respect to Parliamentary Reform. Noble Lords opposite then came into power, and I will say that that

Parliament was ready to pass a measure of moderate Parliamentary Reform. But noble Lords opposite thought proper, instead of carrying such a measure, to dissolve that Parliament, and a new Parliament was called under a degree of excitement in the public mind such as I never before witnessed. The consequence was, that the excitement has continued ever since, and has been kept up by the strong opinion put forward and entertained, that it is the King who wishes for Parliamentary Reform in the manner proposed by this Bill. I believe it is no such thing. My opinion is, that the King follows the advice of his servants, but I believe that it is the idea thus engendered that the King wishes for Reform which renders it difficult that there should not be some Reform. It is not, however, to be supposed, that the King takes any interest in the subject. I have no doubt that, when this opinion reaches the country, the country will think like me; and I entertain no doubt whatever, that, if it were supposed that the King's mind was altered, the noble Earl opposite would not be able to pass this Bill. Indeed, I am sure, from experience, that, if the nation, on any great constitutional question, were not convinced that the King would go through with the Ministers, it would be impossible for any set of Ministers to carry any such measure. I would also wish noble Lords to attend particularly to this. The opinion of the gentlemen of the country—I speak from knowledge with respect to the southern counties, and from sure report as to the other counties generally—I say, that the opinion of the gentlemen of landed property, and the leaning of the country, are against this Bill. The Bill is, on the other hand, supported by noble Lords opposite, and by their adherents, certainly not a numerous class; it is also supported by all the dissenters from the Church of England, and by all who wish it should pass as a means of their attaining votes; but, I repeat, it is, in fact, opposed to the sentiments of all the gentlemen, of the yeomanry, and of the middling classes throughout the country. Yes, I will say, there is a change of opinion; the best part of the public are not desirous of the Bill, but are, on the contrary, apprehensive of its effects. But we do not hear of this, and why? Because no gentleman in the country can go to a public meeting and speak his sentiments secure from the attacks of the mob. Another ground on which the noble Earl (the Earl of Harrowby) says that we ought to read the Bill a second time is, that we should endeavor to amend it; but if the noble Earl

found that would be difficult last year, will it not be more difficult now? I have this morning had a note put into my hand of the anomalies of the Bill, the result of a paper laid before the House of Commons even since the passing of the Bill there, and its being sent up to this House, and a perusal of this will show that there is nothing we can do that will improve this Bill, and weed it of the gross errors with which it abounds. By Parliamentary Paper 232, being an abstract of the practical operation of the Bill, according to the new limits given to the several boroughs, it appears that the borough of Clitheroe, which is partially disfranchised in schedule B, has a greater population than sixty places which are left untouched; another, Shaftesbury, than fifty-two; another, Wilton, than forty-six. Clitheroe has more houses than fifty-seven untouched boroughs; Wilton than fifty-six; Shaftesbury than fifty-four; and so on. As to taxes, Christchurch, which is in schedule B, pays more assessed taxes than forty-five places not in the schedule, whereof no less than nine are new-made boroughs; Wilton pays more than thirty-nine; Droitwich and Wallingford more than thirty-three, and so on, seven or eight other places being put into schedule B, which have larger constituencies than boroughs which are untouched. The reason that the difference in this class is not so great as in the population and houses is, that the arbitrary additions made to the boroughs are mostly of poor and scattered districts which do not add to the taxation in the same proportion. But the most important view of all is the number of 10*l.* houses, the amount for the future constituency. Will it be credited that Hythe, partially disfranchised, would have more electors than fifty-five places not in schedule B, of which three are new creations; Morpeth than thirty-seven; Dartmouth than thirty-four; Wallingford than thirty-two, and so on? Knaresborough and Tavistock are kept untouched, while seven or eight other boroughs, having a greater constituency, are placed in schedule B. Compare Christchurch and Tavistock as their respective merits are set forth in the paper which I will read to you.

	Tavistock.		Christchurch.		Difference.
Population . . . . .	5,602	..	6,087	..	485
Houses . . . . .	821	..	1,354	..	553
10 <i>l.</i> ditto . . . . .	380	..	400	..	20
Taxes . . . . .	1,283	..	2,066	..	783

	10 Boroughs in Schedule B, sending 10 Members.	10 Boroughs which are to send 20 Members.
101. Houses . . . . .	4,084	2,944
Population . . . . .	71,196	42,666

From this it will appear that the difference is nearly two to one in favor of the boroughs not sending Members. This document has been laid on the Table since the Bill passed the House of Commons, and your Lordships may be told, and, indeed, I am at this moment told, it is an argument why we should go into Committee. [*Cheers.*] Before my noble friend (Lord Wharncliffe) rejoices in his cheer, let me remind my noble friend of what he said last year. It was this:—‘Many persons had voted for the second reading of the Bill in the House of Commons, in hopes of amending it afterwards in Committee; but every person who had the slightest experience in Parliament well knew, that, when a bill, brought in by the Government, was read a second time, it was a matter of extreme difficulty to make any alterations in it in Committee.’ My noble friend’s parliamentary experience reaches to the House of Commons as well as to this House. My noble friend knows the difficulty even in the other House, and I believe there is no instance of any extensive alterations ever having been made in Committee in this House in any bill introduced and supported by Ministers. We have the experience of the noble Secretary of State opposite, both in the last and the present Session, as to the absolute impossibility of making any great alteration in a Committee of this House. Only a few days ago we had a Committee upstairs upon a bill which we found they could not alter; and but the other day we had the Pluralities Bill, which had been recommitted half-a-dozen times, and I had myself waited more than once for three hours attending upon it, but it was found impossible to introduce any alteration. If this be the case generally, how is it to be when the alterations particularly wished go to the very foundation of the measure? But there is another view of this case which is highly important to my noble friends (Lords Harrowby and Wharncliffe), and those who act with them, and wish for the second reading of the Bill. The noble Earl opposite (Earl Grey) has, it is true, shown more moderation and more courtesy upon the present than upon the former occasion; but then the noble Earl has not held out any hope of agreeing to alterations in the Committee. The noble Earl has, as I hear, held out hopes to a rev. Prelate that alterations might be

introduced, but I am sure my noble friends will find, when they are in Committee, that their objections will be met, no doubt, with great politeness and attention, but no alteration will they have conceded to them. Under these circumstances, I hope noble Lords will not follow the example of my noble friends, nor, as they have changed, will vote for them this year as they did the last. With respect to what has fallen from another noble Earl (the Earl of Haddington) who pursued the same course last year, but who last night came to a different conclusion, and asked, was there no hope of a compromise? I would ask, have not these noble Lords been trying to compromise for the last six months? If they have not succeeded in that time, what encouragement is there to me or others to follow their example? I, and those who think with me, know the consequences of the Bill, and that it will consign the country to evils which it cannot survive with prosperity. I know that it is a Bill which, in its present state, ought not to pass, and I would ask my noble friends, have they been able to advance one single step in their compromise from last October to the present day? If this be the case, I hope that those who intend to act with my noble friends will understand that there is no more chance of compromise on the present than on the last occasion; and that, if they agree to the second reading, they agree to a Bill under which the country cannot be governed. I beg, then, that noble Lords will look to the responsibility they take upon themselves in giving support to this Bill. Ministers are now decidedly responsible for the Bill—they are responsible for the election of the House of Commons that passed it—they are responsible for the excitement which caused both these events, and they are, moreover, responsible for any evil consequences which may occur if this House rejects it. Now, noble Lords who change their sentiments, followed as they are by many who voted against the Bill the last time, will partake, I beg them to understand it, of a large portion of this serious responsibility, and the country will look to them to answer for whatever may occur. I have been hitherto considering the misfortune I labor under in differing from my noble friends: I now come to the Bill itself. My objection to the Bill has always been, that it goes to overturn the system of representation of the country—that it destroys all the ancient franchises unnecessarily for the purpose of Reform, and disfranchises, totally fifty-six boroughs, and partially thirty

boroughs — that it totally revolutionizes the representation of Scotland, for it is impossible to consider the present measure without reference to the Scotch Bill—and that it puts an end to all those arrangements which, only three years ago, were entered into for the final settlement of the Catholic question. The noble Earl (Earl Grey) yesterday challenged me to make out that this Bill is revolutionary. What I have always said is, that it has a revolutionary tendency, and I think it has a tendency so strong in that way that it must lead to revolution. The noble Earl said there is no violence ; but it is well understood that a revolution may be effected by law, as well as by violence, and the present is not a case in which violence can have any effect even were it had recourse to. One of the great and leading objections in my mind to this measure is, that it is one which goes to destroy that most invaluable principle of our existing Constitution, the principle of prescription, which sanctions the descent and secures the possession of all kinds of property in this country. This Bill goes to destroy a number of boroughs—some holding by prescription, some by charter, and for no reason whatever, except that such is the will of the Minister of the day. There is no man who possesses property under the advantages which the present system affords to all holders of property, but must run a great risk as to the security of that property under such a state of things as this measure, if it should be passed, is sure to introduce into this country. Nor is this the only objection in this regard which I have to this Bill. I have shown to your Lordships, from the paper which I have already read, that nothing can be more arbitrary than the manner in which some boroughs are deprived of the right of voting altogether, others deprived of it in part, and in which the right of voting is conferred on other places by the same measure. Undoubtedly nothing can be more arbitrary than the manner in which the franchise is conferred by this Bill in some of those boroughs. Instead of the existing rights of voting in cities and boroughs, this Bill goes to establish one uniform right of voting in all municipal elections throughout the country, which must inevitably tend to make the constitution of Parliament a complete democracy. The noble Earl near me has said, that the uniformity of the right of voting, which this Bill will establish, is, in his mind, one of the benefits of the measure. Did that noble Earl never hear of unions carrying on a correspondence with

one another in different parts of the country? Did he never hear of such unions corresponding with one another on political topics, and on topics connected with the elections, as well as on topics connected with trade and commerce? But the objections I have stated to the Bill refer principally to the municipal towns of a smaller size. When you come to consider the larger towns, you will find that the right of voting which this measure will establish there will amount to neither more nor less than Universal Suffrage. In fact, this Bill will in such places extend the right of voting to mere lodgers—to men who pay only 3s. 10d. a-week, or 7d. a-night, for their lodging. Such a residence would, to such men in the larger municipal towns, give the right of voting at elections of Members of Parliament; and such is the constituency you will establish if you should go into Committee on this Bill, for your Lordships must not forget that the noble Earl at the head of His Majesty's Government took occasion to tell us, in the course of his speech last night, that nothing must be done to destroy the efficiency of that part of the Bill. I wish to lead your Lordships a little further in order to consider what must be the operation of such a constituency as that in the elections of Members of Parliament. The noble Earl has told us that men possessing property in those boroughs must continue to have political influence in the elections there, and that is one of his arguments in support of this part of the Bill. But I will appeal to your Lordships whether your own experience in matters of that description confirms the correctness of this statement? It is true that, in some of those boroughs, noblemen possessing large properties in the neighbourhood would possess still a great and paramount influence. I beg to observe that, in point of fact, one of the consequences of this measure in that respect would be, that several of those places would be left in the hands of noblemen entirely, so as greatly to increase, beyond what it is at present, that influence which they possess with respect to the formation of every government which can be carried on by the King of England. But generally speaking, in those towns it will be the demagogue, and not the gentleman of property, who will possess the influence over the elections here. The latter cannot command such an influence, unless through the means of an expenditure which it would be impossible for him to support. But the demagogue can obtain it by other means, and it is by demagogues that such places will be repre-

sented in Parliament. I beg your Lordships to observe what would be the effect of such a state of things in the constitution of the House of Commons, and I beg to ask you whether, with such men the representatives of those boroughs, it would be possible to carry on anything like a government, or a steady system of policy, through the means of that assembly. I know that, according to the Constitution of this country, a Member of the House of Commons, when he goes there, is a Member for all parts of England, and not a representative for the particular town or place for which he has been elected : he is, in fact, looked upon as a member of a common council for all parts of England. That has been hitherto the meaning which is attached to the character of a Member of the Commons' House of Parliament. But the case will be widely different should this Bill be passed, and Members of Parliament subjected to a system of instruction on the part of their constituents. That system already exists in parts of England, and more especially in the metropolis, and in the borough of Southwark. Your Lordships will remember that an Honorable and gallant Officer, formerly connected with the party of the noble Lords opposite, was obliged to retire from the representation of Southwark last summer, because he happened to differ with his constituents : and that a worthy Alderman has, in a similar manner been reprimanded by his constituents in the City of London, for a similar offence. What, then, is to be expected hereafter should the system of this Bill be established in this country ? Why, that every Member of the House of Commons will become the mere delegate of his constituents, instead of the representative of the people at large. It was well observed by my noble friend near me in his speech last night, that such representatives would, in each particular case, merely consult the wishes of their respective constituents, and act upon them, instead of consulting together, according to the best of their judgments, for the common good. And here I cannot avoid referring to a letter written by a gentleman in the course of last autumn to some of his constituents in this neighbourhood, in which he not only declared that the constituents were to advise and point out the course which their representatives should pursue in Parliament, but in which he went still further ; for, in this document, addressed to the parish of St. George's-in-the-East, the writer told them that there ought to be an union in every parish of all the



middle and working classes, and that the object of them should be, in the first instance, the protection of persons and property; and, secondly, to be ready to express the opinion of the parish upon any public measure, and, in case the Ministers or the House of Commons should be lukewarm, that such unions should be ready to urge them on to the performance of their duty. The extract which I have here given to your Lordships is taken from a letter written by one of the great advocates of the Reform Bill, not for the sake of the Reform Bill itself, but because it would lead to something further. That letter affords a proof of the kind of system which would be put into operation with respect to the Members of the House of Commons should this Bill be passed. I pray your Lordships for a moment to compare the system this Bill would establish with the system of representation which has so long existed in this country, and under which this country has been raised to such an eminence of glory, and power, and prosperity. We have, under the existing system, the county representation, and the representation in cities and boroughs. The county representation consists principally of freeholders, and the Members for counties represent not only the lower classes, but the middle and higher orders. The representatives for the great maritime towns, and for the larger description of towns in the interior of the country, represent likewise the lower and middle classes. The representatives for the potwalloping boroughs, for the scot-and-lot boroughs, and for the single borough of Preston, where I believe the franchise is vested in the inhabitants at large, represent the lowest orders of the people; and in that manner this borough representation represents all classes and descriptions of persons who have anything to do with the business transacted in the House of Commons. Instead of that system which has raised this country to its present elevation, we are called upon to establish by this Bill a system of elections which would be confined to one single class of the community; and, as the county representation would be no check upon that class of persons, the voters in the counties being mostly of the same description; and as the united representation of Scotland and of Ireland would be no check upon them, such a system would lead at once to a complete democracy. Such is the system which we are called upon to establish in lieu of the Constitution which at present exists, and under which all those classes and interests in this country that ought to

be represented are really represented in Parliament ; yet, under such a system as that, it is pretended that we should be able to carry on the general business of the nation. I would here beg to call your Lordships' attention to the changes which have taken place in the government of this country in the course of the last century, and more especially in the latter portion of that period, and what improvement has taken place in that time in the popular system in this country. My noble friend behind me last night truly stated that the influence of the Crown has been decreasing from the period of the Revolution up to the year 1782 ; and that it has been still further diminishing from that period up to the present time, till at last there are not more than fifty persons in the House of Commons holding public offices. In that period, and more especially in latter years, the influence of the Crown in that respect has been greatly diminished. First of all there has been a large reduction of all such kind of offices, and in the next place, in consequence of the consolidation of the different Boards of Customs, Excise, and other public departments, the influence which was formerly possessed by the Crown has been taken out of its hands, and placed in the hands of the public. Your Lordships must, therefore, see that the influence derived by the Crown from all such offices has been greatly diminished, and possibly to a greater degree than it ought to have been for the purposes of the Government of the country. With the influence of the Crown thus diminished, if a Bill of this description be passed, it will be impossible to carry on the Government of the country. Another important consideration to be attended to in the discussion of this measure relates to the changes which have taken place in this country in the course of the last four years. In the year 1828 we repealed the Test Act, and the effect of this measure was, to bring into operation a large body of electors, who had, of course, much influence on the election. In the year 1829 the Catholic Bill was passed, and that measure, too, was calculated to have a most important effect upon the constitution of Parliament. Now we should give time to those measures, in order to see the effect which they will produce on the constitution of Parliament and of the country, before we proceed to pass a still further and more extensive measure, the effect of which will be, to introduce still greater alterations into the Constitution of the country. There can be no doubt that the measures to which I have just alluded

must have a considerable effect on the elections, and more especially when any measure like this measure of Parliamentary Reform is adopted to the extent contemplated in this Bill. There can be no doubt that there is a general desire in the country—I do not deny the existence of it, for it is stated in all the addresses and all the petitions on the subject—that there is a general desire in the country that some Reform in Parliament should be taken into consideration, to do away with the abuses in the system of election of Members of the House of Commons. Without inquiring into the cause, if the fact be as I have stated, I believe that no one will dispute that it is the duty of Parliament to proceed gradually in making amendments in the representation. We should consider maturely every step that we take—we should not proceed all at once to do everything—we should go on gradually and deliberately; and thus, in process of time, we might arrive even at the measure which has been recommended by the noble Earl at the head of His Majesty's Government. But that must be in process of time. After a considerable length of time has elapsed, and after we have maturely considered every step to be taken, and seen some, at least, of its consequences, it is only after we have done all that, that we can adopt a measure to the extent of that recommended by the noble Earl. This your Lordships must do, and do it gradually and slowly, if you desire to maintain the venerable monarchy under which the country has flourished for such a long time. I must further observe, that, if such a measure as this should be suddenly and at once passed, it would be impossible to conduct hereafter the government of the country. We have been told that it is necessary to bring this question to an early conclusion, because the trade, and commerce, and business of the country are suffering in consequence of delaying the settlement of it. Such was the statement of the noble Earl opposite. Now, I wish that those who state that such inconveniences are felt at present in this country would consider a little whether they are felt in consequence of the prospect of the passing of this Bill, or in consequence of the fear of losing it. That is a most important consideration in looking at this question. I am of opinion that, as soon as this Bill was proposed, and as soon as the excitement which it occasioned arose, a great portion of expenditure ceased—that men ceased to lay out their money in great enterprises—that those who had previously lived to the full amount of

their incomes, began to consider it their interest to contract their expenditure, in order to make provision for a period of trouble and difficulty; and it is to those circumstances that I am disposed to attribute the want of commerce and of trade in the country. If we look for a moment at the present situation of our neighbours the French, we shall behold precisely similar effects following from precisely similar causes, and precisely similar consequences produced there that we have to complain of in this country. Those consequences, to be sure, proceeded to a greater extent there than with us, because the excitement was continued for a longer period, and because the delirium was carried to a greater extent; but I am certain that, if this Bill should be now passed, we should soon witness here similar effects. I complain of the present system of agitation and excitement because the evil effects of it fall principally on the lowest and poorest class of the community. That contraction of the expenditure to which I have alluded, no doubt, tended to diminish the comforts of the middle classes, but it tended directly to affect the very subsistence of the poor. It is on such grounds that I complain of the present system of agitation that is carried on in this country. The noble Viscount, the Secretary of State for the Home Department, admitted in his speech last night that he did not expect any relief to the distress of the country from this measure. It is, certainly, an extraordinary thing for a Minister, and especially for a Secretary of the Home Department, to say that he does not think, that in fact he is satisfied, that a measure of such immense consequence as this must be will not tend to relieve any of the distresses of the country. Extraordinary, however, as that is, I will maintain, that, so far from relieving any portion of the distresses of this country, this measure tends very much to aggravate every one of them. But let us go a little further, and see whether this system will give the people what it is said it will give them, a cheap Government. And here again I beg to call your attention to what is passing in another country. If your Lordships will take the trouble of examining into what has passed within the last two years in France, you will see that the French expenditure has increased in that time fifty millions sterling beyond the usual expenditure. You will see that her ordinary Budget, notwithstanding the study that has been applied to be as saving as possible, exceeds the Budget of the former reigns—of the extravagant reign of the Bourbons—by the amount

of ten millions sterling ; and, besides this, there is the extraordinary expenditure of fifty millions in two years. Look at that, as a system of cheap Government, and your Lordships will see that it is quite impossible to agree with the senseless assertions made on this subject. Let your Lordships further see whether this Bill, supposing it to be passed, is likely to make the Government cheaper or better than it is now. Ask yourselves whether the civil Government would have more power to govern the country than it now possesses ; whether it is possible that the Government can be carried on with a smaller proportion of military. I beg your Lordships to look at the transactions at Paris, in the course of the last two years, and see whether that has been the case. I am sure you cannot think so, when you see that, while Louis XVIII. and Charles X. were on the Throne, they were enabled to maintain the peace of Paris with a gendarmerie of from 500 to 1000 men ; but that, since the Revolution of July, the Government has not had less than 60,000 men once a month put into requisition to maintain the peace of the city. If the system now proposed was carried into execution, the result would be, to establish a similarly expensive military Government in this country. It is impossible that, under such circumstances, the Government of the country can be carried on as it is at present by the Civil Power aided by a small military force. In the course of the last year, events of a fearful character occurred both in this country and in France—I allude to what took place at Bristol and Lyon—which show the different power and efficiency of the existing Governments of England and France. The calamity at Bristol was at once put an end to, by less than 100 soldiers, as soon as an officer at the head of a military detachment was found to do his duty : whereas it required not less than 4000 of the best troops in France, with the Minister of War and a Prince of the Blood at their head, to quell, in the same time, the disturbances that took place at Lyon. If your Lordships will consider well the consequences of those differences, and the circumstances themselves, you will then be able to judge whether it is possible for you to expect to carry on the civil Government of England as hitherto under a system of Government such as you are going to establish if you should pass this Bill. I beg pardon for having trespassed so long on your Lordships. I have endeavored to convince your Lordships that my noble friend (the Earl of Harrowby) is taking a course inconsistent

with the opinions—the well-founded opinions—which he expressed with regard to the Reform Bill in October last; that my noble friend's taking such a course is no reason why your Lordships should follow his example, and, by adopting the course which my noble friend recommends to you, involve yourselves in all the responsibility of sanctioning the present measure; and I have, finally, endeavored to convince your Lordships, and I trust I have succeeded in the attempt, that the only safe course for you and for the country is to reject this Bill on the second reading. There is one other point on which I wish to say a few words. I mean the measure of which my noble friend near me (the Duke of Buckingham) gave notice last night. If my noble friend should bring that measure forward, I will certainly give it all the consideration which is due to my noble friend and to the measure itself, and I hope your Lordships will do so too. I have no knowledge of the measure of my noble friend, except what could be derived from the notice he gave of it last night; nor was I previously aware that it was the intention of my noble friend to bring forward any measure of such a description. It appears to me, as far as I can judge of the measure of my noble friend from the notice of it before your Lordships, that it is one founded on a different principle from that now before your Lordships.

Debate adjourned.

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*April 17, 1832.*

#### WEST INDIA INTEREST.

The Earl of HAREWOOD moved that a petition he presented from a number of persons connected with the West India Interest, complaining of distress, be referred to a Select Committee, with a view to an inquiry into the subject.

Lord SUFFIELD said that inquiry was quite unnecessary. The simple solution of the distress complained of would be found in the abolition of slavery.

Viscount GODERICH, in consenting to the Committee, expressed the opinion that the local legislatures were bound, without further delay, to take measures for ameliorating the condition of the slaves.

The Archbishop of CANTERBURY and Lord SEAFORD testified to the efforts which the local Legislatures had already made to ameliorate the condition, religious as well as physical, of the slaves.

*THE DUKE OF WELLINGTON* said:

My Lords, After the assent given by the noble Lord to the motion of my noble friend, I should not have troubled your Lord-

ships with any observations, but for some remarks made by the noble Viscount. I heard with great satisfaction the able and impressive statement made by the noble Lord who last addressed your Lordships, as well as the observations of the most Reverend Prelate, in support of the views taken by the noble Lord upon a point so important as the religious instruction of the slaves. It is natural that the West India body, whether they reside in this country or in the Islands, should desire that a solemn inquiry should be instituted into the circumstances of their present condition. They are suffering great distress, brought on by a long-continued course of neglect—by many misfortunes, and now, at last, by a most formidable rebellion, adding to their other misfortunes, and quite destroying the value of their property : besides which, I think they have some reason to complain both of their conduct having been misapprehended, and of the acts of the Government at home, founded upon that misapprehension. I conceive that these reasons are sufficient to induce your Lordships to grant an inquiry into the circumstances of their situation, and into the acts of the Government at home with respect to the Legislatures of the Islands. It is natural that the West India body should desire such an inquiry, and it cannot be possible but that such an inquiry, conducted as it would be by your Lordships, must lead to results satisfactory to that body and the public. I will first state that the question more immediately under consideration was introduced in 1823 to the notice of the Legislature of this country ; and what has been said this night is not altogether correct. It has been stated, that since that period nothing has been done by the legislatures of the colonies ; but I will affirm that there is not one of the colonial Legislatures which has not taken some steps to carry into execution the resolutions of the Legislature of this country. Every step which has been required by the Parliament has been taken by some one or other of the colonial Legislatures, with the exception of the Resolution relative to compulsory manumission, and against that they appealed to the Privy Council. I must say, therefore, that the party of the colonists have some reason to complain when it is stated that they have taken no measures to carry into effect the Order in Council. It is equally clear that the other party has some reason to believe that all these orders might be carried into effect, since most of them were so in some place or other, but they should wait till they can be effectually adopted.

Under these circumstances, I must confess that I have always considered that, sooner or later, everything that party wished, everything they could reasonably desire, would be done in time by the colonial Legislatures, if Parliament persevere in pressing on their attention those measures, without employing any violence, and avoiding all disposition to quarrel or use harsh means. That is the principle on which the Government acted of which I had the honor to be a member. In no instance did that Government endeavor to force any measure on the colonial Legislature, further than by employing recommendations — urgent recommendations—to carry into effect the Resolutions of the Parliament of this country. The noble Lord has stated that the only attempt which had been honestly made was by the present Government. I do not think the late Government could be called dishonest. It gave its honest support to the Resolutions, and, as I said before, with the exception of the one point on which nothing has been done, these Resolutions have all been carried into effect in some one or other of the Islands. Orders in Council have been sent out, which, I think, will settle the question, and I am satisfied will settle it as far as the Crown colonies are concerned ; and the matter arranged in the Crown colonies, I have no doubt it may soon be settled also in the colonies with independent Legislatures. It is the duty of the Government to legislate for the Crown colonies by Orders in Council, but I never heard of Orders in Council for the other colonies. We can require Orders in Council to be obeyed in the Crown colonies, but I never heard of such Orders being enforced in those colonies which have Legislatures of their own. When I was in office, certainly it was never intended to enforce those Orders on the latter colonies ; but only, by way of example, to show them, from what was done in the Crown colonies, that no danger was likely to ensue from their adopting the Orders in Council. Moderate and slow measures are more likely to be beneficial, as has been stated by the noble Lord (Seaford) and supported by the authority of Mr. Canning and Mr. Fox, than hasty and violent measures. Parliament never intended to extinguish slavery by any other than a slow progress, cautiously adapted to circumstances. It never intended by force to extinguish slavery ; for that would be, in the present circumstances of the colonies, to extinguish property. It never was intended to extinguish slavery and property together, and not



give a compensation to the owners of that property. I had hoped for an amelioration of slavery by the means proposed ; I had hoped that the condition of the slaves would be much, but gradually, improved, and that slavery would be gradually extinguished ; but Parliament never contemplated the compulsory extinction of slavery, or anything which was to destroy the property of the proprietors. That was the view taken by Mr. Canning ; and any Government which attempted to enforce the extinction of slavery by Orders in Council went beyond its duty. I have heard of enforcing those Orders by fiscal regulations—a measure which ought never to be adopted. Those islands which did not obey the Orders were to be taxed, while those which did were to escape. Did any person ever hear of taxes being enforced for such a purpose before ? I ever thought taxes were imposed only for the service of the State. If they are necessary for the service of the State, in God's name let them be paid ; but, if they are not necessary, they ought not to be paid, and the Legislature ought not to impose them ; above all, it ought not to impose them as a punishment. Parliament is not justified in imposing them on any such principle. But on whom is this punishment to be inflicted ? Why, we should have to pay these taxes, and the people of England would actually have to pay the taxes which were awarded as a punishment to the West Indians. I cannot believe that the Legislature would adopt such a proposition, if it were made by Government, for it is one that has never yet been recognized by Parliament. I am not surprised, under such circumstances, that the West India body desire that the whole matter should be inquired into by a Committee of this House, in order that inquiries may lead to doing them justice, and to ascertain what part of the measures recommended by Parliament they have carried into execution. There are other reasons why this subject requires serious attention. Their interest has been much neglected. No doubt whatever can be entertained that the taxation on their produce was excessive, for, with the exception of the small reduction made in 1829, that taxation had become reduced very little below what it was during the war. That alone is a sufficient reason for inquiry, to see if there are no means of giving the West Indians relief. I ask your Lordships to look at the situation of property in that country. I will state to you the particulars of one property in the island of Jamaica which is fortunately unencumbered with any

debts, the case with very few estates. The property consists of 996 acres, whereof 176 acres are cultivated with sugar. The whole produce of the estate was sold in England for 6010*l.*, and what proportion of that do your Lordships suppose went to Government? The duty of Government amounted to 2960*l.*, being fifty per cent. on the value of the gross produce. The expenses of agency, brokerage, insurance, &c., amounted to 1000*l.*; it cost that to transport the sugar by sea to England. The supplies sent out from England for the estate amounted to 772*l.* There was money sent to the agent at Jamaica for various expenses, amounting to 564*l.* Altogether the whole of the disbursements amounted to 5282*l.*, leaving to the proprietor the sum only of 728*l.* This was in a good year: in an ordinary year he would not get more than 500*l.* If the season is bad, or if the crops fail, he gets nothing. It is most desirable that all these facts should be investigated by a Committee of this House. It is very desirable that property in the West Indies, like all individual property, should receive protection. It ought to be protected by the Legislature as well as any other property of individuals which exists in this country. The House, in its anxiety to abolish the slavery of individuals, should not forget that the subject involves, not merely the slavery of the negroes, but the property of individuals, and property entitled to your Lordships' protection. The public mind ought to be carried back to the nature of this property, and be made aware of what the consequences would be, not only to individuals, but to the property of the people generally, of any measures for carrying into effect by force the Resolutions for the abolition of slavery. It is a fact and truth, that it would be the destruction of individual property to extinguish slavery. Without the slaves that property would be worth nothing for the owners; without slavery, it must be admitted that neither the owners, the public, nor the individuals engaged in the cultivation, could be sustained in life. It is surely then time for your Lordships to make inquiry, and bring forward such a Report as will lay the whole matter clearly before the public. I shall support the motion of my noble friend, and be prepared to give every assistance in my power to further the objects of the Committee.

Motion agreed to.

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the Government hereafter to depend upon the operation of that part of the Bill rather than upon the whole Bill ; or else of suffering the whole Bill to be carried, and the House of Lords to be destroyed. My Lords, my opinion is not altered ; no part of the Bill is safe ; but, undoubtedly, a part of the Bill is better, that is to say, less injurious, than the whole Bill, and, certainly, it must at least be admitted that it is better than the whole Bill, accompanied by the destruction of the Constitution of the country, by the destruction of the independence of this House. Under these circumstances, my Lords, I gave my consent to assist His Majesty in forming an Administration upon the condition His Majesty mentioned. I know that many noble Lords may be of opinion that I should have acted a more prudent part if I had looked to anterior circumstances, and if I had regarded the opinions and pledges I had already given ; and if, placing my attention exclusively upon the desire of acting a consistent part in public life, I had pursued a different course, and refused my assistance to His Majesty, noble Lords may think I should have done better and have acted more wisely. I do not mean to detract from the merits of those who have thought proper to pursue a course contrary to mine upon this occasion. I am grieved, in particular, that it should have been my misfortune to differ with some right hon. friends of mine, with whom I have been for many years in habits of cordial union, co-operation, and friendship, and from whom I hope this momentary separation will not dis sever me. Their position, my Lords, was different from mine. I was situated in a position very different from that in which they felt themselves to stand. They regretted that they could not take the same course with me ; but for myself, my Lords, I cannot help feeling that, if I had been capable of refusing my assistance to His Majesty—if I had been capable of saying to His Majesty, ‘I cannot assist you in this affair’—I do not think, my Lords, that I could have shown my face in the streets for shame of having done it—for shame of having abandoned my Sovereign under such distressing circumstances. I have, indeed, the misfortune of differing from friends of mine upon this subject, but I cannot regret the steps I have taken. If I have made a mistake, I regret it ; but I am not aware that I have made any mistake. It was impossible that I could shrink from His Majesty under the distressing circumstances in which he was placed. I will not detain your Lordships longer with a detail

of the circumstances which led to the dilemma in which we are now placed. But, my Lords, I wish to call your attention to the commencement of those transactions; and if your Lordships look to the Speech which His Majesty made from the Throne to both Houses of Parliament, in June, 1831,—if you recollect that His Majesty stated in strong terms that that important question should receive the earliest and most attentive consideration, with a due consideration of the rights of Parliament, you will be surprised to find us in our present situation. His Majesty then said, ‘Having had recourse to that measure for the purpose of ascertaining the sense of my people on the expediency of a reform in the representation, I have now to recommend that important question to your earliest and most attentive consideration, confident that, in any measure which you may propose for its adjustment, you will carefully adhere to the acknowledged principles of the Constitution, by which the prerogatives of the Crown, the authority of both Houses of Parliament, and the rights and liberties of the people, are equally secured.’ Now, my Lords, I ask, could it be believed at the time His Majesty made this Speech, that the rights of this House—the power of deliberating and deciding independently upon such a question as this—would be destroyed by a creation of peers, and by a creation to an extent which could not be much less than one hundred? If any man at the time foretold this, it would have been said he was dreaming of things that were impossible. But to this state, my Lords, have we been brought by this measure. When I first heard of this Bill being proposed to be carried by a creation of peers, I said it was quite impossible. I could not believe that any Minister of England would be led by any considerations whatsoever to recommend such a measure to His Majesty. The first time, indeed, I ever heard the matter mentioned with any degree of authority was, when a Right Rev. Prelate thought proper to write upon the subject to some people in a town in Sussex. I can appeal to those sitting near me if this is not the fact—if I did not uniformly declare that the thing was impossible—that the very idea of it ought not to be mentioned; that it never should be imagined that any Minister could be found who would recommend such an unconstitutional—such a ruinous exercise of the prerogative of the Crown. For, my Lords, I do maintain, that the just exercise of the prerogative of the Crown does by no means go to the extent of enabling His

Majesty to create a body of peers with the view to carry any particular measure. Under the circumstances, then, I believe your Lordships will not think it unnatural, when I considered His Majesty's situation, that I should endeavor to assist His Majesty. But, my Lords, when I found that, in consequence of the discussions on Monday in another place (which, by the way, proved so clearly that the sentiments of the leading men there were that peers should not be created for such a purpose), when I found from these discussions that it was impossible to form a Government from that House of such a nature as would secure the confidence of the country, I felt it my duty to inform His Majesty that I could not fulfil the commission with which he was pleased to honor me, and His Majesty informed me that he would renew his communications with his former Ministry.

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*July 2, 1832.*

#### STATE OF IRELAND.

The Earl of RODEN moved 'an Address to His Majesty, praying that he would consider the afflicted state of his Protestant subjects in Ireland, and adopt such measures as under the distressing circumstances of the case might appear expedient to uphold the Protestant religion, and to protect the lives and properties of all denominations of His Majesty's Irish subjects.'

Viscount MELBOURNE assured the House that there was not the slightest desire on the part of the Government to injure the Protestants of Ireland.

*THE DUKE OF WELLINGTON* said :

I have listened with great anxiety, my Lords, to try if I could discover from the speech of the noble Viscount what are the intentions of His Majesty's Government with respect to the future management of that part of the United Kingdom to which the motion refers ; but instead of any such thing, I find that the statement of the noble Lord embraces little more than two topics. One of these consists of a comparison between the past and present state of Ireland ; the other is an attempt to show that many of the counties, where it is alleged that disturbances have taken place, are really in a most peaceable and tranquil condition. It is perfectly true that the state of Ireland has been at many periods disturbed ; but it is equally true that, between those periods of disturbance, long and frequent intervals of prosperity and tranquillity have inter-

vened. As to the former disturbances which from time to time have taken place in Ireland, I should say, and that without the slightest fear of contradiction, that they are trifling compared with the scenes of which that country is now unhappily the theatre. Heretofore the tranquillity of Ireland has been preserved by a force of very trifling amount indeed, compared with I know not how many thousands of police and military now employed in that country, and at an expense of the amount of which the House can form no adequate notion. From the year 1805, when the Catholic question first came to be agitated, to the year 1829, when it was finally settled, it is well known to noble Lords that the utmost excitement and agitation prevailed; but then at length the Catholic question was settled, and a real grievance removed. No doubt the passing of that measure did not produce complete tranquillity, but nevertheless the country was excessively tranquil, compared with what it has been since. I beg the House to remember that in the year 1829 a measure was agreed to by both Houses of Parliament which removed that which was, in the estimation of the parties themselves, a real grievance. From that period all classes of His Majesty's subjects were placed upon a footing of perfect equality as regards political rights; and I beg to remind the noble Lord opposite, who says that the late Administration left the country in a state of disturbance—I beg to remind him of the Association Act. The noble Lord found that Act, and proclamations issued by the Lord-Lieutenant to carry that Act into execution, when he took possession of office. Moreover the Lord-Lieutenant who succeeded my noble friend remonstrated against that Act, and had promised to get it repealed; yet the first act of his Government was to issue a proclamation under that Act, and to carry it into execution, in order to preserve the tranquillity of Ireland, and this before he had been a month in Ireland. I should have supposed that at that time they would have been satisfied with the Association Act; but notwithstanding they had that Act, other disturbances broke out in Ireland. Upon an occurrence so serious in its origin and character, and taking a direction so dangerous, one would have supposed that the noble Lord and his colleagues would have taken some step, but from the breaking out of these disturbances to the present time they have done nothing. On all former occasions of disturbance there was in reality a public grievance, but that grievance had been removed. And what is

this new disturbance? It is an insurrection against private property, the property of the Church as well as of individuals. Those persons have a right to call on the Government for protection; they have a right to ask of Government to protect them in the enjoyment of their property, and to give them a compensation when they lose it. The Government seems to have no notion of the extent of the disturbance. My noble friend at the head of the Irish Government seized four offenders, and pardoned three out of the four, in expectation that there would be no opposition to the payment of tithes thereafter. The noble Lord, now finding his own policy unavailing, is pleased to lay upon me the cause of these disturbances. We have been told, indeed, that His Majesty's present Ministers have an extraordinary objection to any of those measures which give protection to the property and lives of His Majesty's subjects. If I am not mistaken, I reminded the noble Lord that the Association Act would terminate in 1831; and the noble Lord replied that he intended to bring in a Bill to renew it. The Parliament was dissolved before the noble Lord redeemed his promise; but one naturally would have thought that, seeing the attack made upon tithes, and the height to which it was growing, the noble Lord would have lost no time in taking the protection which the Association Act would have given to His Majesty's subjects when the new Parliament assembled; but the noble Lord did no such thing. When a noble friend of mine put a question to His Majesty's Government upon the subject, he was told that His Majesty's Government intended to keep the peace of Ireland without having recourse to any extraordinary measures. Now I assert that, from that day to this, there has been no security for property or person, and no enjoyment of peace in Ireland, and almost no civil Government whatever. That, according to the best information from all parts, I believe to have been and still to be the state of that country. My noble friend has stated, and most truly, that this was the result of a conspiracy. I say the same, and before I sit down I will prove it. This conspiracy it is which now deprives a large class of His Majesty's subjects in that country of their property; it renders life insecure, and tends to the overthrow of all government, and will effect the overthrow of his Government, if that conspiracy be not crushed. It is upon his ground, and this only, that I feel anxious to address the House upon this occasion, desiring to warn the country and the

Government of the real danger which at this moment menaces that part of the United Kingdom to which the motion of my noble friend refers. I have heard that lately an attempt has been made by a clergyman in Ireland to endeavor to avail himself of a distress to obtain part only of what was due to him. A body of troops, under the direction of a magistrate, was on the ground to protect the sale. I have seen an account of the whole proceedings, which I believe to be accurate; and anything more extraordinary, I must say, I have never seen nor heard of. Upon the first day a mob of 20,000 men assembled, upon the second there assembled 50,000, and on the third 100,000, and all for the purpose of intimidation to prevent the sale. Now supposing that these numbers are ten times exaggerated, and that only 5000 or 10,000 men assembled, instead of 50,000 or 100,000, I will defy any man to show me how those bodies of men can have assembled without the working of a conspiracy. Who led them there? I will tell your Lordships. It was the priests. I have come to the knowledge of this fact by a letter from an officer commanding a body of troops upon the occasion, and who, being anxious to keep his men from any collision with the people, was considerably in the rear with his men, where he saw what was going forward. Now, when it is known that a conspiracy exists, the object of which is to deprive a large body of their property, and that the same means may be brought into operation against any other description of property, against a man's life, his honor, or anything else, surely we have a right to expect from the existing Government, or from any Government, some measure for its suppression. It must not be said that the Constitution does not enable the Government to assume a power for this purpose. It is in the power of Parliament to confer such a power upon Government, and therein is the beauty of the British Constitution, which, while it protects the liberty and property of individuals by fixed laws, confides to Parliament the power of giving to the Government extraordinary means upon extraordinary emergencies. The Parliament therefore can impart to Government a power to defeat a conspiracy which is directed, not against the Government, but against those whom the Government is bound, upon every principle, to protect. The attack upon tithes is one of the most serious description. Such an attack is levelled against the Church. I know not what is the Ministerial measure upon this subject, but I will do my best to support it; but I must say



in the mean time that the Government is bound, and the King is bound by his oath, to protect the property of the Church specially. Nor is it the property of the Church alone that is involved in this organized attack upon tithes. What will you say to the lay impropiator? Is a man who has invested a large property in tithes to be told that he must lose it all because there is a cry against that sort of property? That surely would not be language consistent with the Constitution, or with the duty of those who are bound to propose measures to enable His Majesty to protect his subjects in their just rights against lawless violence. I entreat the noble Lord who spoke last (Viscount Melbourne), and those upon whom his speech has made any impression, to weigh well the difference between the situation of the present Administration and that of which I formed a part, with respect to Ireland. At present Ireland has no public grievance. This, I affirm, the noble Lords opposite know to be the case; and I will tell them that they will be obliged at last to adopt a measure of coercion, the extent and severity of which will be in proportion to the length of time they allow to elapse before they act upon that advice. With reference to the collection of large bodies in Ireland, for the purpose of overawing the authorities, intimidating His Majesty's subjects, and defeating the law, I well remember, upon the subject of the Manchester affair, many years back, to have heard the noble and learned Lord opposite (Lord Plunkett) make a most able, eloquent, and unanswerable speech in defence of the conduct of the magistrates, in the other House of Parliament. Now I should like to know from that noble and learned Lord, what distinction he draws between the situation of the magistrates of Carlow and Cork upon the late occasions, and the situation of the magistrates at Manchester, whose conduct he so ably and eloquently vindicated. I shall be told, no doubt, in consequence of this allusion, that I am always anxious to spill human blood. I shall be able to bear the reproach, sustained by the consciousness that my only object is to save the shedding of human blood. I want to save human life by legislative means, before the necessity arises for the employment of arms against mobs and crowds of people. My object is to get the better of the conspirators. Upon a late occasion in Ireland, to which I have already adverted, it appears that the King's troops were for three days in the presence of large mobs, and that the latter at length succeeded in their unlawful object, and carried off the articles

which had been distrained. I charge this to be a conspiracy, and one of the most dangerous kind, which, if not put down by legislative means, will in the end require means of the most painful description to put it down. The noble Lord who has last addressed the House has advanced that Ireland is now in a state of greater tranquillity than she has been in for some time past. I must say that, as far as my information goes, the reverse is the case. It may be true that tranquillity has been restored in a particular district, but does any gentleman feel himself secure in that country? Can the noble Lord say that in any one instance the Government has been able to carry into effect the Tithe Act lately passed? Is there a single instance in which that has been found practicable? I must say that if the clergy were paid out of the Consolidated Fund, and this Act were not carried into execution by the Government, the members of the Administration would stand in an awkward predicament before Parliament. It appears by one of the statements read by the noble Lord, that the Lord-Lieutenant has lately traversed Queen's County with perfect security. This circumstance is adduced as a proof of the tranquillity of this part of the country. It is no proof at all. I do not mean to say it is meant to deceive, but such statements do in effect operate as a deception on the world. It is well known that the Lord-Lieutenant, when he moves about, is surrounded by troops, and the fact stated by the noble Lord proves nothing either one way or the other. What I want to see in Ireland, as the only proof of tranquillity to which I can attend, is some security for property, some security for tithes, and some peace. I now come to that part of the subject which is the most painful, because in my opinion it reflects most strongly upon His Majesty's Ministers. I refer to their treatment of the Protestants of Ireland. In the treatment to which the Protestant Church has been subjected, I must say that the Protestants of Ireland have been entirely thrown aside. There can be no doubt that the Protestants of Ireland, who, like all other bodies, are divided amongst themselves on many subjects, are unanimous in their feelings against His Majesty's Government, with a sense of injury done, and a sense of insecurity in their situation, the contemplation of which is most painful to all those who wish well to the union of the two countries. It is undoubtedly desirable to widen the basis of the Union as much as possible; but he deceives himself who thinks that the connexion between the two countries

Majesty to create a body of peers with the view to carry any particular measure. Under the circumstances, then, I believe your Lordships will not think it unnatural, when I considered His Majesty's situation, that I should endeavor to assist His Majesty. But, my Lords, when I found that, in consequence of the discussions on Monday in another place (which, by the way, proved so clearly that the sentiments of the leading men there were that peers should not be created for such a purpose), when I found from these discussions that it was impossible to form a Government from that House of such a nature as would secure the confidence of the country, I felt it my duty to inform His Majesty that I could not fulfil the commission with which he was pleased to honor me, and His Majesty informed me that he would renew his communications with his former Ministry.

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*July 2, 1832.*

#### STATE OF IRELAND.

The Earl of RODEN moved 'an Address to His Majesty, praying that he would consider the afflicted state of his Protestant subjects in Ireland, and adopt such measures as under the distressing circumstances of the case might appear expedient to uphold the Protestant religion, and to protect the lives and properties of all denominations of His Majesty's Irish subjects.'

Viscount MELBOURNE assured the House that there was not the slightest desire on the part of the Government to injure the Protestants of Ireland.

*THE DUKE OF WELLINGTON* said :

I have listened with great anxiety, my Lords, to try if I could discover from the speech of the noble Viscount what are the intentions of His Majesty's Government with respect to the future management of that part of the United Kingdom to which the motion refers ; but instead of any such thing, I find that the statement of the noble Lord embraces little more than two topics. One of these consists of a comparison between the past and present state of Ireland ; the other is an attempt to show that many of the counties, where it is alleged that disturbances have taken place, are really in a most peaceable and tranquil condition. It is perfectly true that the state of Ireland has been at many periods disturbed ; but it is equally true that, between those periods of disturbance, long and frequent intervals of prosperity and tranquillity have inter-

for Ireland, at the time that the assent of that body was given to the petition. I know that there is, in general, no time so uselessly spent in this House as in discussing the way in which petitions are got up; but in the case of the present petition there has been a considerable misapprehension on the part of the General Assembly; and my attention having been drawn to it, I deem it necessary to bring it before your Lordships. It appears, that at the meeting of the General Assembly, at which the resolutions on which the petition is founded were proposed and agreed to, the Solicitor-General for Scotland, who is a member of that Assembly, as well as an officer of the Government, got up and stated that he had received certain official letters from a gentleman who is also in the service of Government, and who is in a situation where he is most likely to be possessed of accurate information on the subject of Ireland—I mean the Chief Secretary to the Lord-Lieutenant of Ireland. It appears that hitherto the General Assembly had only possessed that knowledge of the plan of education which is possessed by your Lordships, by the House of Commons, and by the public at large. The letter to which the Solicitor-General referred, as having been officially received, purported to be from the Chief Secretary of Ireland; and the proceedings of the body on the occasion will convince any noble Lord that the Assembly was not before aware of the real plan of education, if even they could be supposed to have been so after they had heard the contents of the letter. An Elder of the name of Duncan asked the Solicitor-General to explain the nature of the plan of education, as he did not mean to preclude himself from expressing his dissent to it. The Solicitor-General then explained, that one part of the plan, as explained by the Right Hon. Secretary for Ireland (Mr. Stanley), was, that he saw no objection to the establishment of a Bible-class in every school which should be conducted on the Government plan; that class to be held once a-day, for the express purpose of reading the Bible, and at which the Protestants were to be compelled to attend, but the Catholics were not to be forced to give their attendance. The Solicitor-General added, that he wished the General Assembly to understand that this explanation of the plan did not rest upon one only, but upon several communications from the Chief Secretary of Ireland. Now, after the Solicitor-General had given this information to the General Assembly, a resolution was proposed by Dr.

Cook, which was founded on that communication of the Solicitor-General, and which will be found embodied in the petition to the House. Thus, my Lords, it appears that the approbation of the plan of education by the General Assembly was obtained solely in consequence of their belief that there were to be Bible-classes in every Government school. Now I understand that Mr. Stanley has not arranged the system on the plan stated to the General Assembly, nor am I aware that there is any intention to do so; and yet, my Lords, it is on such a statement that this petition is based. I certainly agree that all comments on the petition had better be avoided; but my attention having been called to the matter, I thought it but just to the General Assembly to give this information to your Lordships. The subject, to be sure, is a most important one; it is no less than the education of a whole people, and the Board of Education has solemnly declared that no system can be a proper one, as a plan of national education, that is not founded on the whole of the Scriptures, as the rule for doctrine and morals. It is not the meaning of the General Assembly that the Scriptures should be taught out of school hours. Their meaning is, that the schoolmaster should teach the Scriptures in the schools, and that the Protestants should be obliged to read the Scriptures; and that this should not be a matter of choice, but a matter of obligation: that is the meaning of the petitioners. We have an Established Church. The clergy have the care of the national education, and that education ought to be founded on the Scriptures, and the whole Scriptures. But, in the new system, the reading of the Scriptures, as a whole, is prohibited.

Petition laid on the table.

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*July 23, 1832.*

#### PARLIAMENTARY REFORM.

Viscount MELBOURNE having moved the second reading of the Reform of Parliament (Ireland) Bill,

*THE DUKE OF WELLINGTON* said:

I do not, my Lords, consider this the most convenient opportunity to discuss this subject, as most of the noble Lords who wish to deliver their opinion upon the principle of the Bill are absent.

I, however, cannot suffer the Bill to be read a second time, without offering a few observations upon it. I certainly do not intend to follow the noble Viscount through the details into which he has entered. My own opinion is, that it may be exceedingly expedient to reform the system of representation in this country, and even in Scotland, and yet not expedient to touch the representation of Ireland. What my noble friend, who sits near me, said on a former occasion, is true—the representation of the people of Ireland was considered and settled thirty years ago. Then, again, in 1829, a very important measure was adopted, by which the representation of the different interests of that country was considered, and, as it was thought, finally settled. In truth, the measure that was then adopted was founded upon that other measure, which was adopted at the same time, namely, the abolition of the 40*s.* freeholders. That measure was founded upon the necessity of putting an end to the improper influence of the priests of the Roman Catholic religion. And, my Lords, I must say, even supposing that it is now, in consequence of what has lately passed upon the subject of the reformation of the representation of the people in this part of the United Kingdom—supposing that it is now necessary to adopt a similar measure in Ireland, surely it is proper to found that measure upon the principle of the measure of 1829, and not upon any new-fangled notions of the present day. That is the ground upon which I rest the opposition which I intend to give to this measure. The noble Viscount who has just addressed the House has stated that this measure for Ireland is founded upon the same principle as that of the measure which has been lately passed for England. I beg to remind your Lordships that there was a most important point raised in 1829, with respect to the voters in counties and towns. Those places had two descriptions of voters—freemen admitted by the corporation, and 40*s.* freeholders. A noble Lord urged upon me, when the measure of 1829 was under consideration, to adopt towards the freeholders of counties and towns the same principle that I adopted in the counties at large—that is to say, to take away from the 40*s.* freeholders in towns the right of voting for them. I, however, was not disposed to accede to the noble Lord's representations, because I thought that the balance between the interests—the freemen and the freeholders—should be preserved; and as the corporations have the power of extending to any

amount the number of freemen, I would not consent to disfranchise the 40s. freeholders. But the first thing that the noble Lord does, in the measure which he has proposed to be read a second time, is to put an end to the 40s. freeholders and freemen, by declaring that these rights shall expire with the persons who at present possess them. But the noble Viscount does more than this. The freemen, unless they are residents, lose their votes immediately; not so the freeholders; and therefore I beg to ask whether the preponderance will not be given to the 40s. freeholders, or, in other words, to the Roman Catholic interests? But what does the noble Lord do besides? He says that the voters shall be resident 10l. householders and 10l. freeholders hereafter. But what does that do? It gives of course a preponderance of power to the Roman Catholic inhabitants of those towns. In fact, the noble Lord extinguishes the rights granted under the charter of the corporations, which is a principle which was not adopted in the English Bill. The corporations are deprived of their rights, and the Roman Catholic population placed in possession of them. I must, therefore, object to the Bill, because the noble Lord, with respect to these counties and towns, has departed from the principle and practice laid down in the Act of the year 1829. I will admit, that, the principle having been adopted in the Reform Act for England, of putting an end to what are called nomination boroughs, it is quite right that the same principle of representation should be put an end to in Ireland. I do not pretend to say that boroughs of that description should continue to exist. But if such an alteration be introduced into Ireland, in addition to the alteration already made in respect to counties and towns, I maintain that it ought to be on the principle of the Act of 1829; and care must be taken to secure the Protestant interests, and those interests connected with property, with the Crown, and with the Established Church. This Bill affects directly the country: first of all it abolishes the rights of freemen and the rights of corporations; it then gives the right of voting to 10l. householders and 10l. freeholders, far the greater part of whom are Roman Catholics. Thus the power of the Roman Catholic priesthood will be established, instead of the interests of the great proprietor being protected, or the interests of the great moneyed man, who has paid for his seat. Such an arrangement is not consistent with the public interests, which

require that property—not the priests of the Roman Catholic Church—shall have influence in elections. It is also totally at variance with the principles followed at the period of the Union, and in the measure of 1829. Upon these grounds I shall decidedly object to the present Bill. A plan of reform might have been introduced, leaving the influence of corporations in the possession of persons of property ; at all events there is no necessity whatever to hand it over to a class of persons who must be under the influence of the Roman Catholic Priests. The noble Viscount justifies the introduction of this measure upon the notion that it is founded upon the same principles as the English Act. But I beg your Lordships to observe, that the noble Viscount has abandoned the example of the English Bill, wherever it suits his purpose. In doing this the noble Viscount has sacrificed, I think, the interests of the Crown, the interests of the Protestant Church, and the interests of property. On these grounds I shall give the motion of the noble Viscount a decided negative.

Bill read a second time.

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July 26, 1832.

In Committee on the Reform of Parliament (Ireland) Bill,  
Lord WYNFORD having, in Clause 6, contended that, as the right of voting by 40s. freeholders was abolished in counties, the right ought not to be preserved in towns,

THE DUKE OF WELLINGTON said :

I too, my Lords, certainly object to 40s. freeholders being retained in towns, whilst the rights of freemen are to be abolished. It is enacted by the Bill, that all freemen admitted after the 31st of March, 1831, though *bonâ fide* freemen, and resident, shall also be disqualified. This clause, I am aware, is in the English Bill ; but the reason for that is, that the English Bill was at that period before Parliament, whereas the Irish Bill was not introduced for a long time subsequently. The reason assigned for getting rid of the freemen is, because they will support the Protestant interest in the towns. Now, I have no hesitation whatever in stating, that the interests connected with the Church, and the Protestant Institutions, must give way if the franchise be transferred into the hands of the Roman Catholic population. It is easy to say that there ought to be no difference between Roman Catholics and



Protestants. I wish to God it could be so ; but the circumstances of that country are such as to make it necessary that a counterpoise should be given to counteract the influence which the Roman Catholics will acquire by the Bill. I wish to carry the principles of 1829 into effect, and that cannot be done if both parties are not placed on an equal footing. I think it most unfair to give the Catholic population of towns the power of returning Roman Catholic Members to Parliament ; and I shall, therefore, seeing that the rights of the freemen are to be abolished, object to the 40s. freeholders being retained.

Amendment negatived.

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*July 27, 1832.*

On the motion that the Report of the Reform of Parliament (Ireland) Bill be brought up,

*THE DUKE OF WELLINGTON* said :

I have an amendment to propose with respect to the sons of freemen. I can see no reason why they should not be as much entitled to vote as in England. The noble Viscount says that the freemen are not as eligible a body of men in Ireland as in England. But how can he resort to this argument, while at the same time he assumes what he does as to the 40s. freeholders ? I ask no more than that the sons of such freemen shall be secured in the franchise transmitted to them from their fathers, as the sons of English freemen actually are. I shall propose to leave out the words ‘ born before the passing of the Act,’ and to add other words to secure my object. Nothing can surely be said against the persons whose rights I propose to secure, as they are persons not yet in existence.

Viscount MELBOURNE having remarked that such of the freemen as were of respectable station would acquire a right to vote by the household franchise,

*THE DUKE OF WELLINGTON* said :

The rights of freemen’s sons must stand on the same ground in Ireland as in England. I cannot conceive how a distinction can be drawn between the two. If it be said that the freemen in Ireland make an improper use of their franchise, and ought, therefore, to lose it, this is an argument in which I cannot concur, but, at least, I can understand it ; but I cannot understand why we should disfranchise, in Ireland more than in England, freemen who

are yet unborn, and who will be entitled to the privilege of voting by charters and ancient usage.

Amendment postponed.

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*July 30, 1832.*

### RUSSIAN-DUTCH LOAN CONVENTION.

Viscount GODERICH moved the second reading of a Bill to enable the Government to carry out the contract which, under the Treaty of 1815, renewed by the Convention of 1830, the King of the Netherlands had made, in conjunction with this country, to make a series of payments to Russia (to cease in case the Belgian territories were to be severed from the dominion of the House of Orange).

*THE DUKE OF WELLINGTON* said :

The first question which we have to consider is, whether all the payments up to the last were strictly legal. I agree with the noble Viscount in his statement of the circumstances which led to these payments, but I do not agree with the noble Viscount in thinking, as is to be inferred from his speech, that up to the last hour there was a legal right to make these payments to the Emperor of Russia. I deny that up to the last hour Russia had a legal right to the payments agreed upon under the treaty of 1815. In my opinion, it is doubtful if the right existed in December, 1830. At that period both the King of England and the Emperor of Russia agreed that Belgium should be independent of Holland. If it were to be so, surely Belgium must have passed away, according to the terms of the treaty, from the dominions of Holland. Well, at a later period there was this transaction : Prince Leopold was acknowledged by this country as King of Belgium, and His Majesty was even pleased to send an Ambassador to attend him, which established the point of dispute that Prince Leopold was, according to the law of England, King of Belgium. My Lords, from that moment Belgium passed away and was severed from Holland. Under these circumstances the question is, not whether His Majesty is under a moral obligation to continue these payments, but whether the law of England authorizes and enables His Majesty's Ministers to pay the money. This has to be decided in the first instance. I fully admit the claim of Russia ; but I maintain that the case which has arisen is

an omitted case. The Act, consequently, does not and cannot apply to it, and, therefore, Government cannot have paid the money according to law. The Ministers may have been right in paying the money,—I will not dispute that; but having so paid it, they ought to have come down to Parliament and have asked for a Bill of Indemnity. The noble and learned Lord on the woolsack argued, on a former occasion, with some ingenuity, that Government, which had consented to the separation of Belgium, had no right to profit by its own act, and refuse the payments to the Emperor of Russia, as his Imperial Majesty had not then signed or ratified the treaty of separation; but that circumstance, however it might be used in favor of the Emperor of Russia's claim, does not, by any means, give the necessary legal authority to Ministers. It might be an act of injustice to the Emperor of Russia that he should not be paid; but, however that may be, the Government, having no legal authority, were bound at once to come before Parliament for the necessary powers. This is a position from which all the eloquence of the noble and learned Lord cannot shake me. I shall always maintain that Ministers neglected their duty when they omitted to come to Parliament for authority before they made any further payments under the treaty of 1815. To clear up the matter, I will ask, if we are bound to pay, is not the King of the Netherlands equally bound to pay? Do not both parties stand on precisely the same ground? But that monarch says it is an omitted case,—that he is not bound by the treaty,—and that he will not pay. Under all these circumstances, I think that Ministers, in proposing this measure, should have explained to Parliament the particular system on which they are acting—should have given a statement of the objects they have in view, and the means they have of carrying these objects into execution. It is impossible to consider the measure now brought forward, without adverting to the manner in which the system pursued by His Majesty's Ministers is carried on, and what that system is. I understand that the King of the Netherlands is called upon, and menaced in the case of his not complying with that call, to sign a treaty for the separation of the greater part of his territories from the dominion of the House of Orange, and for various arrangements which he conceives will be most injurious to the interests of his ancient kingdom and of his family; and that this has come to pass, not in consequence of any mediation or arbitration which

he himself asked for, but by the command of five Sovereigns, imposed upon him contrary to his inclination, and, he believes, contrary to the interests of his country and of his family. Now, my Lords, it is one of our most ancient allies, in favor of whom we have expended our blood and our treasure, who is thus treated by His Majesty's servants. Further, if your Lordships will look to the whole course of the transaction, you will see that the King of the Netherlands is pressed to sign this treaty, not by the Five Powers in the same degree, but by two of those Powers in especial, one of which is England. The other three, though they desire the execution of the treaty, yet adopt some reserve; and, while they wish his Majesty to sign, are desirous of witnessing the modifications of certain objectionable points. Yet the other two Powers are determined, it would seem, to enforce the treaty as it stands, even at the expense of war. They threaten the King of the Netherlands with war unless they obtain their objects—unless they obtain the submission of the King to the treaty in a form which he considers inconsistent with the welfare and independence of his ancient dominions. I repeat, my Lords, to-day, that it is the Councils of this country which are most inimical to the King of the Netherlands. By the treaty it is provided that the King of Holland shall open the navigation of his canals in communication with the Scheldt, the Meuse, and the Rhine. Now I have here the details of the negotiations (and if the noble Lord will produce the documents, your Lordships will see that what I state is the fact), and they show that France and the Powers of the Rhine have manifested no disposition to press the King of the Netherlands on a point which he considers essential to his interests,—a point, moreover, which is surrounded with great difficulty, and one in which Great Britain has no interest, and from which Belgium can derive no benefit, because she will not be able to navigate the Rhine without the permission of the Powers of the Rhine, unless by paying the duties demanded from strangers. Besides, there are other things demanded from the King, which it is hard to grant, but which he does not, nevertheless, refuse—such as the ceding of certain of the ancient territories of his house, the conceding the right of fishing, and other things. The King of the Netherlands is not disposed to agree to all the things demanded, but he is willing to make every concession consistent with his own reason and the independence of his country. But he is, notwith-

can be maintained if the Protestants are estranged, or even think of looking elsewhere, or to themselves, rather than to the Protestants of England, for protection. It is not yet too late. I hope it will not be allowed to go so far as that ; but if something is not done, the time will at last arrive when the Protestants of Ireland will have to choose between that which they will most unwillingly accept— a Catholic Government, or a separation. I entreat your Lordships to weigh well this part of the question. The Irish Protestants have been, in all situations, and under all circumstances, the firm friends of England. I have now accomplished all that I rose to effect. I have stated my opinion to His Majesty's Government, and informed them of the steps which I think will pacify Ireland. I know not whether it is intended to press the motion of my noble friend to a division. I have no wish beyond stating my own opinion. It is not for me to point out the particular measures which it becomes His Majesty's Government to adopt ; but I cannot sit down without repeating, that, if they view what has taken place in Ireland in any other light than as a conspiracy, they will certainly be in error.

Motion negatived by 120 to 79.

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*July 3, 1832.*

#### MINISTERIAL PLAN OF EDUCATION IN IRELAND.

The Earl of BELHAVEN presented a petition from the General Assembly of the Kirk of Scotland in favour of the National Plan of Education in Ireland.

The Archbishop of ARMAGH said that the petitioners evidently misconceived what the nature of that plan was.

*THE DUKE OF WELLINGTON* said :

I feel no surprise, my Lords, at the sentiments expressed in the petition of the Assembly of the Kirk of Scotland ; and I admit, at the same time, that there is no body of persons in the kingdom better calculated to form a just opinion on the subject of the petition, than that from which it has proceeded. But I must, at the same time, beg leave to say, that I entirely concur in the opinion of the most reverend Prelate who has just spoken, namely, that the General Assembly of the Kirk of Scotland was not accurately informed upon the subject of the new plan of education

for Ireland, at the time that the assent of that body was given to the petition. I know that there is, in general, no time so uselessly spent in this House as in discussing the way in which petitions are got up; but in the case of the present petition there has been a considerable misapprehension on the part of the General Assembly; and my attention having been drawn to it, I deem it necessary to bring it before your Lordships. It appears, that at the meeting of the General Assembly, at which the resolutions on which the petition is founded were proposed and agreed to, the Solicitor-General for Scotland, who is a member of that Assembly, as well as an officer of the Government, got up and stated that he had received certain official letters from a gentleman who is also in the service of Government, and who is in a situation where he is most likely to be possessed of accurate information on the subject of Ireland—I mean the Chief Secretary to the Lord-Lieutenant of Ireland. It appears that hitherto the General Assembly had only possessed that knowledge of the plan of education which is possessed by your Lordships, by the House of Commons, and by the public at large. The letter to which the Solicitor-General referred, as having been officially received, purported to be from the Chief Secretary of Ireland; and the proceedings of the body on the occasion will convince any noble Lord that the Assembly was not before aware of the real plan of education, if even they could be supposed to have been so after they had heard the contents of the letter. An Elder of the name of Duncan asked the Solicitor-General to explain the nature of the plan of education, as he did not mean to preclude himself from expressing his dissent to it. The Solicitor-General then explained, that one part of the plan, as explained by the Right Hon. Secretary for Ireland (Mr. Stanley), was, that he saw no objection to the establishment of a Bible-class in every school which should be conducted on the Government plan; that class to be held once a-day, for the express purpose of reading the Bible, and at which the Protestants were to be compelled to attend, but the Catholics were not to be forced to give their attendance. The Solicitor-General added, that he wished the General Assembly to understand that this explanation of the plan did not rest upon one only, but upon several communications from the Chief Secretary of Ireland. Now, after the Solicitor-General had given this information to the General Assembly, a resolution was proposed by Dr.

Protestants. I wish to God it could be so ; but the circumstances of that country are such as to make it necessary that a counterpoise should be given to counteract the influence which the Roman Catholics will acquire by the Bill. I wish to carry the principles of 1829 into effect, and that cannot be done if both parties are not placed on an equal footing. I think it most unfair to give the Catholic population of towns the power of returning Roman Catholic Members to Parliament ; and I shall, therefore, seeing that the rights of the freemen are to be abolished, object to the 40s. freeholders being retained.

Amendment negatived.

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July 27, 1832.

On the motion that the Report of the Reform of Parliament (Ireland) Bill be brought up,

*THE DUKE OF WELLINGTON* said :

I have an amendment to propose with respect to the sons of freemen. I can see no reason why they should not be as much entitled to vote as in England. The noble Viscount says that the freemen are not as eligible a body of men in Ireland as in England. But how can he resort to this argument, while at the same time he assumes what he does as to the 40s. freeholders? I ask no more than that the sons of such freemen shall be secured in the franchise transmitted to them from their fathers, as the sons of English freemen actually are. I shall propose to leave out the words ‘ born before the passing of the Act,’ and to add other words to secure my object. Nothing can surely be said against the persons whose rights I propose to secure, as they are persons not yet in existence.

Viscount MELBOURNE having remarked that such of the freemen as were of respectable station would acquire a right to vote by the household franchise,

*THE DUKE OF WELLINGTON* said :

The rights of freemen’s sons must stand on the same ground in Ireland as in England. I cannot conceive how a distinction can be drawn between the two. If it be said that the freemen in Ireland make an improper use of their franchise, and ought, therefore, to lose it, this is an argument in which I cannot concur, but, at least, I can understand it ; but I cannot understand why we should disfranchise, in Ireland more than in England, freemen who

I, however, cannot suffer the Bill to be read a second time, without offering a few observations upon it. I certainly do not intend to follow the noble Viscount through the details into which he has entered. My own opinion is, that it may be exceedingly expedient to reform the system of representation in this country, and even in Scotland, and yet not expedient to touch the representation of Ireland. What my noble friend, who sits near me, said on a former occasion, is true—the representation of the people of Ireland was considered and settled thirty years ago. Then, again, in 1829, a very important measure was adopted, by which the representation of the different interests of that country was considered, and, as it was thought, finally settled. In truth, the measure that was then adopted was founded upon that other measure, which was adopted at the same time, namely, the abolition of the 40s. freeholders. That measure was founded upon the necessity of putting an end to the improper influence of the priests of the Roman Catholic religion. And, my Lords, I must say, even supposing that it is now, in consequence of what has lately passed upon the subject of the reformation of the representation of the people in this part of the United Kingdom—supposing that it is now necessary to adopt a similar measure in Ireland, surely it is proper to found that measure upon the principle of the measure of 1829, and not upon any new-fangled notions of the present day. That is the ground upon which I rest the opposition which I intend to give to this measure. The noble Viscount who has just addressed the House has stated that this measure for Ireland is founded upon the same principle as that of the measure which has been lately passed for England. I beg to remind your Lordships that there was a most important point raised in 1829, with respect to the voters in counties and towns. Those places had two descriptions of voters—freemen admitted by the corporation, and 40s. freeholders. A noble Lord urged upon me, when the measure of 1829 was under consideration, to adopt towards the freeholders of counties and towns the same principle that I adopted in the counties at large—that is to say, to take away from the 40s. freeholders in towns the right of voting for them. I, however, was not disposed to accede to the noble Lord's representations, because I thought that the balance between the interests—the freemen and the freeholders—should be preserved; and as the corporations have the power of extending to any



an omitted case. The Act, consequently, does not and cannot apply to it, and, therefore, Government cannot have paid the money according to law. The Ministers may have been right in paying the money,—I will not dispute that; but having so paid it, they ought to have come down to Parliament and have asked for a Bill of Indemnity. The noble and learned Lord on the woolsack argued, on a former occasion, with some ingenuity, that Government, which had consented to the separation of Belgium, had no right to profit by its own act, and refuse the payments to the Emperor of Russia, as his Imperial Majesty had not then signed or ratified the treaty of separation; but that circumstance, however it might be used in favor of the Emperor of Russia's claim, does not, by any means, give the necessary legal authority to Ministers. It might be an act of injustice to the Emperor of Russia that he should not be paid; but, however that may be, the Government, having no legal authority, were bound at once to come before Parliament for the necessary powers. This is a position from which all the eloquence of the noble and learned Lord cannot shake me. I shall always maintain that Ministers neglected their duty when they omitted to come to Parliament for authority before they made any further payments under the treaty of 1815. To clear up the matter, I will ask, if we are bound to pay, is not the King of the Netherlands equally bound to pay? Do not both parties stand on precisely the same ground? But that monarch says it is an omitted case,—that he is not bound by the treaty,—and that he will not pay. Under all these circumstances, I think that Ministers, in proposing this measure, should have explained to Parliament the particular system on which they are acting—should have given a statement of the objects they have in view, and the means they have of carrying these objects into execution. It is impossible to consider the measure now brought forward, without adverting to the manner in which the system pursued by His Majesty's Ministers is carried on, and what that system is. I understand that the King of the Netherlands is called upon, and menaced in the case of his not complying with that call, to sign a treaty for the separation of the greater part of his territories from the dominion of the House of Orange, and for various arrangements which he conceives will be most injurious to the interests of his ancient kingdom and of his family; and that this has come to pass, not in consequence of any mediation or arbitration which

require that property—not the priests of the Roman Catholic Church—shall have influence in elections. It is also totally at variance with the principles followed at the period of the Union, and in the measure of 1829. Upon these grounds I shall decidedly object to the present Bill. A plan of reform might have been introduced, leaving the influence of corporations in the possession of persons of property ; at all events there is no necessity whatever to hand it over to a class of persons who must be under the influence of the Roman Catholic Priests. The noble Viscount justifies the introduction of this measure upon the notion that it is founded upon the same principles as the English Act. But I beg your Lordships to observe, that the noble Viscount has abandoned the example of the English Bill, wherever it suits his purpose. In doing this the noble Viscount has sacrificed, I think, the interests of the Crown, the interests of the Protestant Church, and the interests of property. On these grounds I shall give the motion of the noble Viscount a decided negative.

Bill read a second time.

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July 26, 1832.

In Committee on the Reform of Parliament (Ireland) Bill,  
Lord WYNFORD having, in Clause 6, contended that, as the right of voting by 40s. freeholders was abolished in counties, the right ought not to be preserved in towns,

THE DUKE OF WELLINGTON said :

I too, my Lords, certainly object to 40s. freeholders being retained in towns, whilst the rights of freemen are to be abolished. It is enacted by the Bill, that all freemen admitted after the 31st of March, 1831, though *bonâ fide* freemen, and resident, shall also be disqualified. This clause, I am aware, is in the English Bill ; but the reason for that is, that the English Bill was at that period before Parliament, whereas the Irish Bill was not introduced for a long time subsequently. The reason assigned for getting rid of the freemen is, because they will support the Protestant interest in the towns. Now, I have no hesitation whatever in stating, that the interests connected with the Church, and the Protestant Institutions, must give way if the franchise be transferred into the hands of the Roman Catholic population. It is easy to say that there ought to be no difference between Roman Catholics and

standing, to be forced to sign a treaty which is on all hands admitted to be objectionable—to need correction and revision—in the first instance, and then he is to trust to the chance of having it afterwards modified to meet his wishes by the Powers which forced him to sign it. Your Lordships must see, therefore, connected as this Convention is with the system of foreign policy pursued by the Government, that we ought not to be called upon to decide concerning it till we are in possession of full information. We are entitled to some information upon a subject so important. Ministers are bound to explain the grounds of their anomalous system of foreign policy before Parliament agrees to intrust them with a single shilling of the public money to promote the object of that policy. That policy is framed in entire subservience to the new alliance which Ministers have, from their accession to office, so sedulously cultivated with revolutionary France, and which I solemnly warn them against, as fraught with peril to the best interests of this country. To that policy, my Lords, is owing the present lamentable condition of our two most ancient allies, Portugal and Holland. To that policy is owing the outrageous attack on the navy of Portugal by the French fleet under the very walls of the Portuguese capital. To that policy was owing the late hostile invasion of that country, the bloody consequences of which none can see the end of. And thus it is we are treating our ancient ally, on whose soil we have expended so much of our best blood, and with which is inseparably associated the recollection of some of the brightest periods of our national glory. But it is not only Portugal that our pernicious policy is thus calculated to infect with anarchy and civil war: I fear its injurious consequences to Holland, our other ancient ally. I ask your Lordships to consider for a moment the present critical situation of that country. Supposing, in the first place, that the fierce threats of England and France should not avail to induce Holland to evacuate Antwerp, are those two countries prepared of themselves to enforce that evacuation? Look to the question; is France to march an army for that purpose, and is this country to aid with a naval armament? and if so, how will this hostile interference affect our relations with the other three parties to the separation? Consider the consequences of our French alliance, so far as the feelings of our allies are concerned, and, through them, our influence. Would France have ventured—I might say, without offence, have

are yet unborn, and who will be entitled to the privilege of voting by charters and ancient usage.

Amendment postponed.

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*July 30, 1832.*

### RUSSIAN-DUTCH LOAN CONVENTION.

Viscount GODERICH moved the second reading of a Bill to enable the Government to carry out the contract which, under the Treaty of 1815, renewed by the Convention of 1830, the King of the Netherlands had made, in conjunction with this country, to make a series of payments to Russia (to cease in case the Belgian territories were to be severed from the dominion of the House of Orange).

*THE DUKE OF WELLINGTON* said :

The first question which we have to consider is, whether all the payments up to the last were strictly legal. I agree with the noble Viscount in his statement of the circumstances which led to these payments, but I do not agree with the noble Viscount in thinking, as is to be inferred from his speech, that up to the last hour there was a legal right to make these payments to the Emperor of Russia. I deny that up to the last hour Russia had a legal right to the payments agreed upon under the treaty of 1815. In my opinion, it is doubtful if the right existed in December, 1830. At that period both the King of England and the Emperor of Russia agreed that Belgium should be independent of Holland. If it were to be so, surely Belgium must have passed away, according to the terms of the treaty, from the dominions of Holland. Well, at a later period there was this transaction : Prince Leopold was acknowledged by this country as King of Belgium, and His Majesty was even pleased to send an Ambassador to attend him, which established the point of dispute that Prince Leopold was, according to the law of England, King of Belgium. My Lords, from that moment Belgium passed away and was severed from Holland. Under these circumstances the question is, not whether His Majesty is under a moral obligation to continue these payments, but whether the law of England authorizes and enables His Majesty's Ministers to pay the money. This has to be decided in the first instance. I fully admit the claim of Russia ; but I maintain that the case which has arisen is

an omitted case. The Act, consequently, does not and cannot apply to it, and, therefore, Government cannot have paid the money according to law. The Ministers may have been right in paying the money,—I will not dispute that; but having so paid it, they ought to have come down to Parliament and have asked for a Bill of Indemity. The noble and learned Lord on the woolsack argued, on a former occasion, with some ingenuity, that Government, which had consented to the separation of Belgium, had no right to profit by its own act, and refuse the payments to the Emperor of Russia, as his Imperial Majesty had not then signed or ratified the treaty of separation; but that circumstance, however it might be used in favor of the Emperor of Russia's claim, does not, by any means, give the necessary legal authority to Ministers. It might be an act of injustice to the Emperor of Russia that he should not be paid; but, however that may be, the Government, having no legal authority, were bound at once to come before Parliament for the necessary powers. This is a position from which all the eloquence of the noble and learned Lord cannot shake me. I shall always maintain that Ministers neglected their duty when they omitted to come to Parliament for authority before they made any further payments under the treaty of 1815. To clear up the matter, I will ask, if we are bound to pay, is not the King of the Netherlands equally bound to pay? Do not both parties stand on precisely the same ground? But that monarch says it is an omitted case,—that he is not bound by the treaty,—and that he will not pay. Under all these circumstances, I think that Ministers, in proposing this measure, should have explained to Parliament the particular system on which they are acting—should have given a statement of the objects they have in view, and the means they have of carrying these objects into execution. It is impossible to consider the measure now brought forward, without adverting to the manner in which the system pursued by His Majesty's Ministers is carried on, and what that system is. I understand that the King of the Netherlands is called upon, and menaced in the case of his not complying with that call, to sign a treaty for the separation of the greater part of his territories from the dominion of the House of Orange, and for various arrangements which he conceives will be most injurious to the interests of his ancient kingdom and of his family; and that this has come to pass, not in consequence of any mediation or arbitration which

he himself asked for, but by the command of five Sovereigns, imposed upon him contrary to his inclination, and, he believes, contrary to the interests of his country and of his family. Now, my Lords, it is one of our most ancient allies, in favor of whom we have expended our blood and our treasure, who is thus treated by His Majesty's servants. Further, if your Lordships will look to the whole course of the transaction, you will see that the King of the Netherlands is pressed to sign this treaty, not by the Five Powers in the same degree, but by two of those Powers in especial, one of which is England. The other three, though they desire the execution of the treaty, yet adopt some reserve; and, while they wish his Majesty to sign, are desirous of witnessing the modifications of certain objectionable points. Yet the other two Powers are determined, it would seem, to enforce the treaty as it stands, even at the expense of war. They threaten the King of the Netherlands with war unless they obtain their objects—unless they obtain the submission of the King to the treaty in a form which he considers inconsistent with the welfare and independence of his ancient dominions. I repeat, my Lords, to-day, that it is the Councils of this country which are most inimical to the King of the Netherlands. By the treaty it is provided that the King of Holland shall open the navigation of his canals in communication with the Scheldt, the Meuse, and the Rhine. Now I have here the details of the negotiations (and if the noble Lord will produce the documents, your Lordships will see that what I state is the fact), and they show that France and the Powers of the Rhine have manifested no disposition to press the King of the Netherlands on a point which he considers essential to his interests,—a point, moreover, which is surrounded with great difficulty, and one in which Great Britain has no interest, and from which Belgium can derive no benefit, because she will not be able to navigate the Rhine without the permission of the Powers of the Rhine, unless by paying the duties demanded from strangers. Besides, there are other things demanded from the King, which it is hard to grant, but which he does not, nevertheless, refuse—such as the ceding of certain of the ancient territories of his house, the conceding the right of fishing, and other things. The King of the Netherlands is not disposed to agree to all the things demanded, but he is willing to make every concession consistent with his own reason and the independence of his country. But he is, notwith-

as soon as possible, in order to relieve the troops of the alliance hitherto stationed in Greece. The latter shall remain in that country entirely at the disposal of the government of His Majesty the King of Greece, until the arrival of the body of troops above mentioned. Immediately upon their arrival, the troops of the Alliance, already referred to, shall retire, and altogether evacuate the Greek territory.' A protest was entered against this article, declaring, on behalf of France, that it was conceived in terms in which the true meaning could not be meant to be expressed, for that it never could be meant that French troops were to be at the disposal of the King of Greece, and that it was only the intention of the Allies to sanction arrangements that the King of the French might enter into with the King of Greece on the subject of these troops. From that protest I infer an intention on the part of the King of the French to enter into a separate treaty from the Allies with respect to the French troops. The protest is against the terms of the Protocol of the 3rd of February, 1830, by which no troops of any foreign power were to be allowed to enter the Greek state without the consent of all the other Powers. I am sure that no miserable quibbling can be used as to the word 'enter,' and I think some alteration is required in the arrangements, for noble Lords must see that the protest of the King of the French is opposed to the spirit of the Protocols.

Bill read a second time.

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*August 13, 1832.*

### JURIES (INDIA) BILL.

The LORD CHANCELLOR moved the second reading of a Bill enabling the local authorities in India to appoint persons to be Justices of the Peace and to act on Juries, under such regulations as the Courts might think proper.

*THE DUKE OF WELLINGTON* said :

My Lords, from the knowledge I have of India, and from the perusal I have given to the documents on the table, I must say that I have never seen a Bill more calculated to do mischief than this. I am surprised that any Government should think fit to introduce such a measure into Parliament, contrary to the opinion of every person connected with that distant country, or acquainted with the administration of justice there. These courts, my Lords,

dared—to take possession of Ancona as she has done, but for her belief that her conduct would command, at least, the negative co-operation of this country? I ask your Lordships, then, whether, under all such circumstances, and with all these facts before your eyes, you will adopt this measure blindfold as it were, and without any statement whatever of what is the intention of His Majesty's Government with respect to the new line of policy that is to be followed? I trust that noble Lords opposite will see that they owe some statement on all these points to both Houses of Parliament before they seek to carry this measure through your Lordships' House. I am desirous of the most friendly feeling being maintained between this country and France. I am fully aware of the necessity that this country should maintain those amicable feeling, if it be intended or desired to keep or preserve the peace of Europe. I confess I should have wished, before the treaty was brought forward or this Act of Parliament proceeded with, that His Majesty's Ministers had brought the affairs of Holland to a conclusion, and been enabled to state something to your Lordships as to the system which they intend to pursue, and what is their general plan of foreign policy. As the case stands, however, I shall not give any opposition to this measure; at the same time I do not think the preamble of the Bill accurately states what it ought to state, or that it is drawn up in a manner at all satisfactory to Russia. So far as my feeling goes, I certainly should have been glad if it had been drawn up in a different manner; but as I said before, I shall not object to the Bill.

Lord WYNFORD said that the noble Duke was probably himself in possession of facts on which he founded his opinion that the Emperor of Russia had a claim on this country, but he (Lord Wynford), having no such knowledge, saw no reason why the Government should put their hands into the pockets of the people to pay the debts of Holland.

*THE DUKE OF WELLINGTON* said:

As my noble friend who has just sat down has alluded to my reasons for offering no opposition to this Bill, I will venture to address a few words to your Lordships in addition to the observations which I have already made. I should have thought the noble Lord (Goderich) had himself entered sufficiently into the nature of the claim to make it clear to your Lordships. The claims of the Emperor of Russia are now, I consider, historical; no man can doubt them; and, at the same time, the treaties of



stage of the Bill to a subject which is closely connected with it, and although I am sorry that I have not been able to do so earlier in the Session, yet I cannot, in the station in which I have stood in connection with the Councils of His Majesty, reconcile it to my sense of duty to allow your Lordships to proceed without making some comments and remarks on the extraordinary state in which the finances of the country at present are. This, my Lords, is the only opportunity now left, upon which I can with propriety make any observations on the subject; and therefore I am convinced that your Lordships will allow me briefly to occupy your time. When I addressed your Lordships upon a former occasion on this subject, I had the misfortune to differ in opinion with the noble Earl at the head of His Majesty's Government, and from His Majesty's Chancellor of the Exchequer in another place. At that period I stated the income of the country to be 47,250,000*l.*; and the expenditure 47,239,000*l.*, leaving a surplus of 11,000*l.* only. This was the whole surplus applicable to any exigency that might arise, as stated by me in October last. In the first budget of 1831, in February, the Chancellor of the Exchequer stated the revenue to be 47,250,000*l.*, and estimated the charge which had not then been voted at 46,850*l.*, leaving an apparent surplus of 300,000*l.* In the second budget (for they had two budgets that year) the noble Earl and his noble colleague in the other House estimated the revenue at 47,250,000*l.*, and the expenditure at no more than 46,756,000*l.* They founded their estimate of the expenditure for the whole year not upon the only legitimate ground, the Parliamentary estimates, but upon the actual expenditure in the quarters which had already elapsed; and, accordingly, they got upon paper a surplus of 493,000*l.*, taking the average payments to be the same for the quarters which were to follow as for those which had gone by. But the result, unfortunately, more than realized my anticipations. It turned out that there was not a surplus either of 493,000*l.*, or of 300,000*l.*, or of 11,000*l.*, but a very considerable deficiency. In three months after the noble Earl had indulged in this House the most flattering expectations, they were proved to the whole country to have been utterly unfounded. In January, 1832, the revenue received in the year from January, 1831, was 46,444,000*l.*, and the actual charge in the same period was 47,123,000*l.*, leaving a deficiency in the year ending in January, 1832, of 699,000*l.* The defi-

to call upon the House for a vote, which, by implication, may be construed to sanction the adoption of a system not yet explained to us, and to approve the cause of a negotiation not yet terminated, more especially as we are still ignorant in what degree the independence and essential interests of one of the most intimate and valued allies of this country may be affected by the result.

‘GORDON (Aberdeen).

‘ERNEST (Duke of Cumberland).

‘WELLINGTON.

‘ROSSLYN.’

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*August 13, 1832.*

### GREEK LOAN CONVENTION.

Earl GREY having moved the second reading of a Bill to enable His Majesty to carry into effect his part of the Convention under which the Three Powers intervening in the affairs of Greece had agreed to offer the throne of that country to a European Prince, and to guarantee a loan to the new Government,

**THE DUKE OF WELLINGTON** said:

My Lords, I feel that this is not the time for discussing the question of Greece, and of the policy to be pursued with respect to that country, though I doubt whether it will be beneficial to the commerce of England. I cannot help, however, expressing my feeling that there are some objections to one part of the arrangement. On a former discussion, a noble friend of mine stated the objections which existed to the choice of Prince Otho, and I believe it will appear from the Protocols that in the course of the negotiations it was determined that, in case the Prince selected should not be approved of by this country, we were not to be bound to assist in making the advances; but as soon as the Prince selected was approved of by the Government, I fully admit the engagement was binding upon us. Under these circumstances, I have nothing to say against the present Bill, now that the selection of the Prince is approved of. One part of the papers to which I wish to call the attention of your Lordships is, what appears to me to be an oversight of the noble Earl. In one of the articles of the convention, the 14th; it is set forth, that ‘His Majesty the King of Bavaria shall lend his assistance to the Prince Otho, in raising in Bavaria a body of troops not exceeding 3500 men, to be employed in his service as King of Greece, which corps shall be armed, equipped, and paid by the Greek state, and be sent thither

these two items alone, the apparent reduction is fallacious to the extent of 130,000*l*. I consider, too, that the Government has fallen into a great miscalculation as to the probable produce of the wine duties. It appears, with respect to the French wines, that, although there has been a great reduction of the duty, there has also been a great reduction of consumption. Nor is this all. There has been a still greater reduction of the consumption of other descriptions of wines, in consequence of the duty having been decreased. Last year there was a comparative decrease under this head of 154,000*l*. There can be no doubt that this is the first instance of any Administration in this country leaving themselves without any provision for contingencies, or any unusual efforts that may become necessary, except that of drawing in advance upon the revenue of the succeeding quarter. No provision was made by His Majesty's Ministers for any extraordinary emergency, but that of anticipating the growing produce of the quarter. I cannot think, looking to the present posture of the Government, that this is a situation in which the country ought to be placed. I must give the noble Earl at the head of the Government credit for the intention to cover the essential expenditure of the year. But the fact is, my Lords, that many of the reductions are applicable to the army and other essential services of the country, which, although not estimated this year, must be provided for in future years. One of the objects in which a saving has been effected is the training of the Militia; the saving under this head is 190,000*l*., and cannot recur in future years. Another saving is in the freight of transports, and the provision of troops, in removing them from one part of the world to the other. Now, my Lords, circumstances may admit of this in the present year, because there are no garrisons to relieve, but it is not possible that it can occur in every future year. This money, therefore, is applicable to this year only, and it is to the extent of 45,000*l*. Another item of reduction is in the purchase of timber for the navy, which amounts to the very considerable sum of 400,000*l*. Now, it is evident that the magazines of this country must be kept up. So that all that is really done by this apparent saving is to throw the burden to this extent upon future years. With a view to secure an adequate supply, and to the proper seasoning of stores, and with a view to the probability that it may become necessary for His Majesty's service to make some great exertion,

were originally established purposely to exempt His Majesty's British subjects from the jurisdiction of the natives of that country. Their jurisdiction is local, extending only a certain distance round the several towns in which they are established. The jurisdiction of that of Calcutta, for instance, is not more extensive than Hyde Park ; and the natives whom it is proposed to call upon to assist in the administration of justice, generally reside outside the boundary purposely that they may not come under the jurisdiction of the court. The measure is then useless, inasmuch as the natives cannot be called upon to serve as jurors in any one of these courts. I do not mean to say that there are not some opulent gentlemen residing in that place ; but the residents are chiefly the servants of Europeans, clerks in the employment of the Government, and persons who, generally speaking, ought not to serve on juries. The gentlemen who brought this subject into the other House of Parliament must know that in this country, as in all others, there are certain established qualifications for justices of the peace and for jurymen, and that no disqualification, in any part of the world, is equal to that of colour ; that the white man has an influence which is not possessed by the black. This distinction prevails most in those countries in which a liberal system of government has been established ; as in the United States of America, and the various States existing in the southern portion of that continent. Indeed, a term has been invented to designate it in Columbia, where express laws have been made for the support and maintenance of the ' Albocracy.' To enable the colored natives of the East Indies to receive from the Governor of Fort St. George or Bombay the power which this measure purposes to confer on them, appears to me to be trifling with the administration of justice in that country. I am convinced of the utter inutility of the Bill.

Bill read a second time.

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*August 15, 1832.*

#### CONSOLIDATED FUND BILL.

Earl GREY having moved the third reading of the Consolidated Fund Bill,

*THE DUKE OF WELLINGTON* said :

My Lords, although I am aware of the inconvenience to which I may put your Lordships by calling your attention at this

which is now going on in Portugal. For my part, I think it to be their duty to prevent the collision of the two opinions which are distracting every part of Europe. It is more especially their duty to prevent that collision in a country the interests of which are so nearly connected with those of England as Portugal. But I will admit that His Majesty's Ministers thought they were preventing the collision by what they did. Let them look, however, to that country, and see what is doing there. Although a prince (Don Pedro) has invaded that country under the most favourable circumstances, and with a considerable force, still he has made no acquisitions beyond the town in which he landed. Neither armies, nor provinces, nor even a single town, as far as I have heard, or even so much as one man, have gone over to Don Pedro. His Majesty's Ministers may suppose that the Prince's adversary is an usurper, and that his government is so tyrannical and unjust that the people are desirous to get rid of him; but, whatever the Ministers may suppose, I am sure that they will best consult the interest of England by putting an end to the conflict of opinions in Portugal. What is the actual state of things at present in that country? The military movements have been all in favor of the invader, and yet he has been unable to advance farther than the town in which he landed. That does not show that the country is favorable to the enterprise; and therefore I think it will be better to put an end to the revolutionary war. It is quite obvious, from the present state of things, that the invader cannot succeed otherwise than by force of arms. Don Pedro has under his direction a band of brave, and honorable, and enterprising men, and as good soldiers as any in the world. I may say that I know them to be so. The army is formed out of numbers of military adventurers; and there are plenty of them to be found in every part of the world; but be the composition of Don Pedro's army what it may, they must hold Portugal against the people. It is, then, by means of these brave men, but, at the same time, military adventurers, that the Prince is to succeed. By means of the aid of these persons he is to take possession of Portugal contrary to the wishes of the people. With all his advantages, however, the invader has as yet made no advance; and from that fact I believe that Don Pedro can never govern Portugal without the continuance of foreign military support. And is it to be supposed that such a military force will not spread revolutionary warfare

ciency of revenue, as compared with the estimate made in October, was 825,556*l*. The excess of charge beyond the estimate of October was 493,479*l*. So that the state of affairs in January was worse than it had been estimated in October by the sum of 1,319,085*l*. In such a state of things it is manifestly impossible that the public can have any confidence in the condition of the finances. On the 5th April, 1832, it appears by the public accounts that the revenue from the 5th April, 1831, produced 46,618,015*l*. The actual charge in this year from April to April was 47,858,488*l*. The revenue at this period is worse than the produce of the year from January to January by 194,000*l*.; and comparing it with the estimate of October, it is less by 510,000*l*., while the charge is greater than the same estimate by 730,000*l*. The actual deficiency of revenue to meet the actual charge at this period was there shown to be 1,240,000*l*. In July, again, we have a statement of the year's accounts, from July 1831 to July 1832. The revenue at this period was 46,296,521*l*., and the actual charge 47,559,075*l*. The deficiency at this period was, therefore, 1,262,537*l*. Having stated the condition of the finances at the various periods which I have mentioned, I at length come to the budget of 1832. According to the statement of the Chancellor of the Exchequer, the revenue of the present year is calculated at 46,470,000*l*., and the estimated charge is 45,696,000*l*., leaving a surplus, according to the statement, of 774,000*l*. It is fair to state that this surplus appears upon the estimates, and is not calculated upon the same erroneous principles as before. The estimates are less for the year 1832 than for the year 1831, by the sum of 2,162,000*l*. With respect to this reduction, and to the comparison of the two years, as to their income and expenditure, I have some observations to make. The abolition of the coast blockade, heretofore provided for in the navy estimates, occasions a reduction of 160,000*l*.; but this must be necessarily attended by some expense to the Board of Customs for the means of preventing smuggling; and for this new expense, which can scarcely fall short of 80,000*l*., no provision has been made; I must, then, consider the reductions fallacious on this account to the extent of 80,000*l*. There is, likewise, an omission in the Miscellaneous Estimates—that of the expense of building a new Custom-house at Liverpool, which will be 50,000*l*., and which will be provided for out of the revenue of the Customs. Thus, in

is done? Is he not bound to protect the fleet which carries British colors in his presence, or chastise them who, without any such right, wage war under them in his presence? And how is this Admiral placed by these circumstances in respect to the Government of Portugal? Is he any longer neutral? There is another point to which I wish to bring the attention of the House. There is at present, on a diplomatic mission to Portugal, an English nobleman, having the rank of Brigadier-general in Portugal. Now, what are the functions of that officer? To command any brigade to which he may be ordered. See, then, the consequence of our sending to Portugal, as the representative of the British Government, an officer who is a Brigadier-general in that country. He is liable to be appointed to the command of a Portuguese brigade. But he is the representative of this Government, and he is, moreover, intrusted with the question of peace or war in the event of a particular contingency. Never before has there been an instance of an officer being sent, intrusted with the prerogative of the Crown, on the great question of peace or war, to the Government under which he held a commission, and at a time when a revolutionary war was going on. I am quite sure that this nobleman will discharge the duties of his important trust faithfully and with the greatest discretion, and that neither he nor the Admiral will involve the country in an unnecessary war. But I will say that such is not the condition in which this country ought to stand with Portugal in reference to war, and especially to such a war as would arise if there should be any. I believe that the topics to which I have adverted are closely connected with the question before the House, which is one of finance; and I think it my duty to bring them on this occasion under the consideration of the House.

Earl GREY having commented on the observations of the noble Duke,

*THE DUKE OF WELLINGTON* said :

My Lords, after what has fallen from the noble Earl opposite, I cannot refrain from making a few observations in reply. I cannot but take notice of the haste with which the Bill has been hurried through the House, and that is the reason why I have not been able to give a longer notice of my intention to introduce this discussion. The Bill was only read a first time on Friday last, and did not give me time for delay. I do not think that I have introduced this subject irregularly, because, as it seems to me, the

it is impossible that less than double the amount of the estimate of this year would suffice. I think, therefore, that the reductions are not only temporary, but that they are effected at the sacrifice of an important part of His Majesty's service. I contend that it is the duty of Government to look to other objects, and of more importance than the mere balance of income and expenditure. It is necessary to look to what is likely or possible to happen in the circumstances of this country. Will any man say that the Government, with respect to its finances, is left in the situation in which it ought to be. The finances of the country are unprovided for, although His Majesty's Ministers know that the decision will be that of a Reformed Parliament, and no man can tell what the decision of such a Parliament may be on any question, more especially on a question of finance. It is the duty of the Ministers, in all circumstances, at the same time that they avoid every unnecessary expenditure, to place the finances in a state in which they may be adequate to any emergency that may arise. In the present state of the foreign relations of the country it is quite possible that an occasion may arrive in which His Majesty may be compelled to make an extraordinary exertion, and to call forth all the resources of the empire. But in consequence of the state in which the finances of the country are now placed, His Majesty would, in the case I have supposed, be put to the greatest difficulty in the management of his financial resources, so long as the necessity for exertion might continue. I ask His Majesty's Ministers to look to the condition of Ireland. Can any man conjecture how embarrassing the affairs of that country may become? Let us look to His Majesty's foreign relations—let us look particularly to the Peninsula—and we shall see that in every one of these particulars His Majesty may, much sooner than any of your Lordships perhaps expects, be called on to make exertions for which all the resources of the empire will be necessary. The present, therefore, is not a time to curtail the finances. I cannot help assuring your Lordships that, in my opinion, the country is in a state which demands your most serious attention. It is not my intention at this period of the Session to enter into any discussion which can give rise to an angry debate; and although I have my own opinion on the subject to which I am about to advert, I will admit that His Majesty's Ministers did what they believed to be their duty in allowing that to proceed

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have been enough to control Don Miguel. I deny, therefore, that the late Government was the cause of the usurpation. When Don Miguel usurped the Sovereign authority, the late Government did all they could ; they discontinued all diplomatic relations with Portugal, and ordered the Minister there to return home. The noble Earl says, that the state of things just mentioned existed when he came into office ; and that the late Government were willing to recognise Don Miguel, provided he would grant a general amnesty. It would have been fair had the noble Earl stated what had previously occurred ; the first thing the late Government did was to advise a reconciliation between the two branches of the House of Braganza, and they referred the matter to Brazil. The Emperor of Brazil was willing enough that they should go to war for him, but he would not go to war, because, in fact, he had no resources of his own to do so. What, then, became our duty ? Our duty was, if possible, to place Portugal in the society of nations, if we could, and to endeavor to induce Don Miguel to do that which would have the effect of attaining that object. For that purpose, we called on Don Miguel to reconcile the country to him by some act of grace towards those who had been connected with the former Government of the country. But it is not true that we wanted to impose any condition with respect to this act of grace ; the principle on which we acted was, to induce Don Miguel to give an act of amnesty without any condition whatever ; because it was our wish not to interfere in any manner with the Government of Portugal, and it would have been interfering had we made any condition. If Don Miguel had granted the amnesty, undoubtedly he would have been recognised ; and when that paragraph was inserted in His Majesty's Speech on the subject, we had every reason to expect that this would be the case. From what has happened since, I have no hesitation in saying, that I do wish to recognise this Prince, in order to remove Portugal from the unfortunate situation in which she stands ; not because I am averse to the claim of right of the Princess, nor because I wish by any act of mine to decide upon this claim, but because I wish to establish a relation with the King *de facto*, so as to enable him to carry on the Government of the country with advantage to this country, and to the security and friendship of the nations around her. If I had continued in office, I should have, I believe, effected that object ; but it was

into Spain? Perhaps there are associations in my mind which make me feel more strongly on this subject than other men. Certainly I cannot look without anxiety to the state of things which has lasted so long in Portugal, and to the prospects arising from that state, especially to this country, which may find itself called on to interfere in the warfare. When I look to these things, I cannot help pressing upon His Majesty's Government to consider well the state of their financial resources. I have stated that I shall endeavor to avoid everything that may give rise to angry feelings; but I cannot refrain from adverting to the position in which the British fleet stands in that part of the world; for it is a subject of the greatest anxiety to all those who regard the honor of their country, and who feel that the fleet is placed there in a position of very doubtful neutrality, if not of actual hostility. The fleet is placed there for the purpose, in the first place, of protecting His Majesty's subjects, and, in the second, for preventing others from interfering in the war. Now, on all former occasions, when this country has been placed in a similar situation in respect to Portugal, it has been usual to take measures to enable British subjects to quit the country, if they think proper, when it is likely to be the seat of war; and if they do not choose to avail themselves of the proposed security, they are told that they must incur all the risks arising out of the disturbed state of the country. In the present case, however, the fleet is left there for the protection of those who choose to stay. At the head of this fleet is an Admiral in whom I can say the Government can safely place every confidence, as no man can discharge with more propriety the arduous duties of the situation in which he is placed. Now, the situation of an Englishman resident in Portugal is this: if he feels himself aggrieved by any of the authorities, and cannot obtain redress, he can call on his conservador; and if that person cannot obtain redress for him, then the Admiral can only do so by an act of hostility. Is it possible, then, that the fleet should not be looked upon as an enemy by the Portuguese Government? Is it possible, then, that the fleet should not have an effect on the war prejudicial to the actual Government? But, what is more, there is a blockade of the port of Lisbon by the fleet of the invader, and also by the British fleet; and the fleet of Don Pedro, with British colors flying, has pursued and taken a Portuguese vessel. What is the situation of the British Admiral when that

which is now going on in Portugal. For my part, I think it to be their duty to prevent the collision of the two opinions which are distracting every part of Europe. It is more especially their duty to prevent that collision in a country the interests of which are so nearly connected with those of England as Portugal. But I will admit that His Majesty's Ministers thought they were preventing the collision by what they did. Let them look, however, to that country, and see what is doing there. Although a prince (Don Pedro) has invaded that country under the most favourable circumstances, and with a considerable force, still he has made no acquisitions beyond the town in which he landed. Neither armies, nor provinces, nor even a single town, as far as I have heard, or even so much as one man, have gone over to Don Pedro. His Majesty's Ministers may suppose that the Prince's adversary is an usurper, and that his government is so tyrannical and unjust that the people are desirous to get rid of him; but, whatever the Ministers may suppose, I am sure that they will best consult the interest of England by putting an end to the conflict of opinions in Portugal. What is the actual state of things at present in that country? The military movements have been all in favor of the invader, and yet he has been unable to advance farther than the town in which he landed. That does not show that the country is favorable to the enterprise; and therefore I think it will be better to put an end to the revolutionary war. It is quite obvious, from the present state of things, that the invader cannot succeed otherwise than by force of arms. Don Pedro has under his direction a band of brave, and honorable, and enterprising men, and as good soldiers as any in the world. I may say that I know them to be so. The army is formed out of numbers of military adventurers; and there are plenty of them to be found in every part of the world; but be the composition of Don Pedro's army what it may, they must hold Portugal against the people. It is, then, by means of these brave men, but, at the same time, military adventurers, that the Prince is to succeed. By means of the aid of these persons he is to take possession of Portugal contrary to the wishes of the people. With all his advantages, however, the invader has as yet made no advance; and from that fact I believe that Don Pedro can never govern Portugal without the continuance of foreign military support. And is it to be supposed that such a military force will not spread revolutionary warfare

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is done? Is he not bound to protect the fleet which carries British colors in his presence, or chastise them who, without any such right, wage war under them in his presence? And how is this Admiral placed by these circumstances in respect to the Government of Portugal? Is he any longer neutral? There is another point to which I wish to bring the attention of the House. There is at present, on a diplomatic mission to Portugal, an English nobleman, having the rank of Brigadier-general in Portugal. Now, what are the functions of that officer? To command any brigade to which he may be ordered. See, then, the consequence of our sending to Portugal, as the representative of the British Government, an officer who is a Brigadier-general in that country. He is liable to be appointed to the command of a Portuguese brigade. But he is the representative of this Government, and he is, moreover, intrusted with the question of peace or war in the event of a particular contingency. Never before has there been an instance of an officer being sent, intrusted with the prerogative of the Crown, on the great question of peace or war, to the Government under which he held a commission, and at a time when a revolutionary war was going on. I am quite sure that this nobleman will discharge the duties of his important trust faithfully and with the greatest discretion, and that neither he nor the Admiral will involve the country in an unnecessary war. But I will say that such is not the condition in which this country ought to stand with Portugal in reference to war, and especially to such a war as would arise if there should be any. I believe that the topics to which I have adverted are closely connected with the question before the House, which is one of finance; and I think it my duty to bring them on this occasion under the consideration of the House.

Earl GREY having commented on the observations of the noble Duke,

*THE DUKE OF WELLINGTON* said :

My Lords, after what has fallen from the noble Earl opposite, I cannot refrain from making a few observations in reply. I cannot but take notice of the haste with which the Bill has been carried through the House, and that is the reason why I have not been able to give a longer notice of my intention to introduce this discussion. The Bill was only read a first time on Friday last, and did not give me time for delay. I do not think that I have introduced this subject irregularly, because, as it seems to me, the

finances of the country are most properly discussed in a debate on a Bill of this kind. The noble Earl thought so too on a former occasion, and introduced a discussion, not only on the public finances, but on other topics not so closely connected with the Bill. The noble Earl told us that the Government did not feel themselves called upon to lay on fresh taxes in order to make up the present deficiency in the public revenue. I do not want the Government to lay on fresh taxes. All I say is, that there is a deficiency of 1,263,000*l.*, and that that deficiency ought to be made up by some means, by the issue of Exchequer Bills, or by some other measure that will prevent any ill effect from the deficiency. A Finance Minister ought certainly to provide some remedy for such a deficiency. With respect to the question of Portugal, I only wish to state my opinions in a manner which shall create the least possible irritation, for I wish to create none, nor do I wish my observations to give rise to any untimely discussion. I am sorry that I have produced any irritation whatever in the mind of the noble Earl, and I certainly should not have made any further observations, but that the noble Earl had thrown reflections on the Government to which I had the honor to belong ; so that I trust your Lordships will pardon me for detaining you for a few minutes, whilst I make some answer to these reflections. The noble Earl states that that Government was the cause of the usurpation of Don Miguel. Now, that is a mistake in point of time ; for it will be found that Don Miguel was in Portugal at the time when the noble Viscount opposite (Viscount Goderich) was at the head of the Government. It is true that I was in office when Don Miguel assumed the Government of Portugal. The noble Earl says that at that time the British army was there, and might have prevented the usurpation. This is a mistake ; the British army was withdrawn before the usurpation. It is true that before the army was withdrawn Don Miguel had dissolved the Chambers, and had given indications that it was not his intention to carry into effect the Constitution of the country ; but he had given no indications of a resolution to usurp the sovereign power ; and when he did so, what he did was done by a decree of the Cortes ; so that we should have had no right to interfere, even had we been able to do so ; but I deny that we were able, for the army was withdrawn ; and even if it had not been withdrawn, what was its force ? Why, it only amounted to 5000 men, which would not

have been enough to control Don Miguel. I deny, therefore, that the late Government was the cause of the usurpation. When Don Miguel usurped the Sovereign authority, the late Government did all they could ; they discontinued all diplomatic relations with Portugal, and ordered the Minister there to return home. The noble Earl says, that the state of things just mentioned existed when he came into office ; and that the late Government were willing to recognise Don Miguel, provided he would grant a general amnesty. It would have been fair had the noble Earl stated what had previously occurred ; the first thing the late Government did was to advise a reconciliation between the two branches of the House of Braganza, and they referred the matter to Brazil. The Emperor of Brazil was willing enough that they should go to war for him, but he would not go to war, because, in fact, he had no resources of his own to do so. What, then, became our duty ? Our duty was, if possible, to place Portugal in the society of nations, if we could, and to endeavor to induce Don Miguel to do that which would have the effect of attaining that object. For that purpose, we called on Don Miguel to reconcile the country to him by some act of grace towards those who had been connected with the former Government of the country. But it is not true that we wanted to impose any condition with respect to this act of grace ; the principle on which we acted was, to induce Don Miguel to give an act of amnesty without any condition whatever ; because it was our wish not to interfere in any manner with the Government of Portugal, and it would have been interfering had we made any condition. If Don Miguel had granted the amnesty, undoubtedly he would have been recognised ; and when that paragraph was inserted in His Majesty's Speech on the subject, we had every reason to expect that this would be the case. From what has happened since, I have no hesitation in saying, that I do wish to recognise this Prince, in order to remove Portugal from the unfortunate situation in which she stands ; not because I am averse to the claim of right of the Princess, nor because I wish by any act of mine to decide upon this claim, but because I wish to establish a relation with the King *de facto*, so as to enable him to carry on the Government of the country with advantage to this country, and to the security and friendship of the nations around her. If I had continued in office, I should have, I believe, effected that object ; but it was

not effected before I left office, because the amnesty was not given. The noble Earl says, that the way in which the present contest must end will be decided by the question whether the Prince now on the throne will be enabled to maintain himself. I do not see how any prince should be able to maintain himself against such a pressure as an invading army on his frontier and a fleet in the Tagus. The noble Earl says that the late Government left the affairs of Portugal in a difficult and delicate state, and that the present Ministers found it so when they came into office. That is true; but since then, I, and my noble friends who have acted with me, have often pressed the noble Earl to recognise Don Miguel. The Emperor of Brazil has it not in his power to make war for the benefit of his daughter; he does not possess the means. She can then only hope to be restored by revolutionary means, which can be employed by those bands of adventurers that are paid by God knows whom, and who are ready to act at the desire of any one against a prince who has been placed on the throne by the Cortes; and who is maintained there, as he believes, by the good will and affection of his subjects. I have a great deal to say on the question of the neutrality of this Government, but I shall not do so now, as I do not wish to create any additional irritation. I shall only observe, that I cannot concur with what the noble Lord has stated as to the neutrality that has been observed in this contest. I shall not, however, enter into the question at the present moment. The noble Earl misunderstood me in supposing that I feared that Admiral Parker would interfere for the assistance of Sartorius. I fear no such thing. What I complain of is, that Sartorius has used British colors, when engaged in the service of Don Pedro, blockading the Tagus. The noble Earl has removed the impression I had on that subject, by stating the remonstrance made by Admiral Parker, and with this part of the explanation given by the noble Earl I am perfectly satisfied. All the imputations which I feared could be cast upon the Admiral are gone; but it seems I am correct in the fact that British colors were improperly hoisted. All that was probably owing to the situation in which we were placed, in being there with a fleet at a time when war was being carried on. Another point on which I have been misunderstood is in the fact that the steamboats and transports attached to Don Pedro's expedition were all English. I have put the case, that Don Miguel's ships should take one of



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these transports or steamboats, which all bear English colors ; and I wish to know whether the noble Earl considers it the duty of Admiral Parker to interpose to protect these ships? If the noble Earl so considers it, then I must ask whether that is not an interference that puts an end to all neutrality. And supposing that question be answered in the affirmative, I will then put the question whether such things would be done in a case where France or America were the belligerents? Another point to which I wish to call the noble Earl's attention is that of the blockade. The strangest thing of all is that this blockade is not a complete blockade, but that there is a daily communication between the Admiral outside and the General within. Why, the moment that such a communication took place, it vitiated the blockade ; for the noble Earl must know that, if any one violates the blockade, there is an end of it altogether. Now, I understand that it has been violated, and it appears that American vessels have entered the port. With regard to the appointment of Brigadier-General Russell, I must say that I do not recollect any other instance of such an appointment where the person appointed holds military rank in the country.

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[FIRST SESSION OF THE ELEVENTH IMPERIAL PARLIAMENT.—  
THIRD WILLIAM IV.]

*February 5, 1833.*

#### ADDRESS TO THE THRONE.

In the debate on the Address in answer to the Speech from the Throne,

*THE DUKE OF WELLINGTON* said :

I am surprised, my Lords, that the noble Earl opposite (Grey), in the course of his speech, should dispute the propriety of my noble friend's taking this opportunity to discuss the question of the war with Holland, and to discuss also the state of affairs in Portugal. It is scarcely necessary that I should take any notice of the first part of the noble Earl's speech, which was directly addressed to the finding fault with my noble friend for having seized this occasion to advert to those important topics. There can be no doubt that my noble friend had a right to avail himself of this opportunity to state what he did upon those two very great questions. The noble Earl insinuated, in one part of his speech

(as my noble friend has just noticed), that it was our object to create difficulties, and that indeed we had created difficulties, in order to embarrass His Majesty's Ministers. I have seen charges of this kind before openly made in the public newspapers—charges, I mean, to the effect that we had advised the King of Holland what course to pursue in these transactions. I can tell noble Lords opposite, that, if I really had advised the King of Holland how to act, they would have found much more difficulty in carrying on those measures of embargo and seizure than they have actually experienced. I can tell them that I happen to know, that, for a considerable number of days after the issuing of the Order in Council to seize and detain those vessels belonging to the Dutch which were in our ports, the mouth of the Thames was open, and unprovided against any attack ; so that any enterprise might have been successfully undertaken, on the part of Holland, with the view of taking ample revenge on His Majesty's Government for the injuries she has received. If I had been the adviser of the King of Holland, I might have given him advice to take advantage of this favorable circumstance. But the King of Holland acted more wisely ;—and he would have acted still more wisely if he had said, 'British ships may resort to my ports,' and have left those to carry into execution the embargo who had thought proper to make it. If he had done that, the noble Earl and his colleagues would have found the embargo an entire failure,—and, as I believe, indeed, it is now, impracticable and illegal. Had the King of Holland adopted this course, he would have found as much trade carried on with his subjects, in British bottoms, by British merchants, as was carried on in Dutch and British vessels before the issuing of the Order in Council. I throw aside, therefore, my Lords, with contempt, those insinuations which have been made against the honor of individuals who entertain opinions upon this subject similar to those expressed by my noble friend, and who come forward and deliver those opinions to this House upon one of those occasions on which it is the invariable practice for members of this House to declare their sentiments upon questions arising out of a Speech from the Throne, of such importance, for example, as that of the war existing in the Netherlands, and existing, as I conscientiously believe, through the fault of His Majesty's Government.

The noble Earl has adverted to what passed in an early part of

these negotiations ; and has referred to certain opinions of mine which I expressed as to the impracticability of effecting a reunion between Belgium and Holland. It is very true that I stated, on a very early occasion after quitting office, that I did not believe it was possible to establish a reunion between Holland and Belgium—I mean a legislative, not an administrative union ; and, as a proof that the noble Earl at one time entertained some notion of re-establishing the two countries under one sovereign, I would remind him, that he himself was the person who excited and invited the Prince of Orange to offer himself to the Belgians for the purpose of being chosen their Sovereign. About a month after the noble Earl came into office this proof was afforded, which at least shows that the reunion of the sovereignty in the House of Orange was not, at that moment, deemed to be so grossly impracticable by the noble Earl. The noble Earl has stated that the present Government have done nothing to occasion any hesitation, on the part of the King of Holland, to accede to the terms of the treaty. Now, my opinion is, that, from the moment at which the noble Earl and his colleagues took charge of these negotiations, they abandoned the cause of the King of Holland. The cause of the King of Holland had always, in these conferences, been theretofore considered the cause of the British Government ; and almost the only business of that Government in the conferences was, to take care of the interests of the King of Holland. But the moment the present Ministers took up these negotiations, they abandoned those interests. I will give the noble Earl proofs of my statements as I go on. They began to abandon those interests when they admitted the independence of Belgium by the protocol of the 20th of December, 1830, scarcely a month after their entering office ; and they carried on their conferences without calling in the assistance of the minister of the King of the Netherlands. They recognised the independence of Belgium. It was upon this recognition that the whole negotiations hinged ; but they soon gave up that point. No sooner had they done this than they fixed upon what was called the bases of the Treaty of Separation. There were three protocols upon this subject, which your Lordships will find in the papers now before you. The moment these bases were offered to the King of the Netherlands, he accepted them.

The noble Earl has charged the King of the Netherlands with

a desire to recover his lost dominion of Belgium upon every occasion on which the negotiation offered a chance of reasserting his claims to it. If this be true, how came he to accept these bases of the Treaty in the month of November? At the conferences these bases were established; and in the protocols they were over and over again declared to be unalterable and irrevocable; and as France, and the other Powers of the Conference, had accepted them, the present Government, together with those Powers, was in a condition to enforce their acceptance by Belgium. But it happened just at that period, when these terms were under treaty, and were expected to be accepted by the Sovereign elect of Belgium, it happened to be discovered that Prince Leopold might probably be elected, in preference to any other candidate, Sovereign of Belgium. The whole course of the negotiation turned upon that discovery; and from that moment the conduct of the British Government appeared to be guided by that consideration. The British Ministers no longer considered the interest of Holland to be of the most importance, and that of Belgium a merely secondary object; but Belgium, thenceforth, became with them the object of primary consideration, and the case of Holland a case of secondary importance only. From that moment difficulties began to occur; from that moment it has been found necessary to make better terms every day for the King of the Belgians, and to leave Holland to find her way out of the negotiations as she best might. When your Lordships come to peruse these books which are on your table, you will find that I have not overstated this matter. Well, what became of these bases which had been so often declared irrevocable and unalterable? Why, as soon as Prince Leopold came to be elected, they were changed; a new arrangement was proposed, contained in eighteen articles, which the King of the Netherlands was called upon to accept. These, however, he declined to accept; and the Conference, which, up to that time, had been a mere mediatorial Conference, called together for the purpose of reconciling the revolted subjects of the King of the Netherlands to his authority, now, in October, became a conference of arbitrators. These arbitrators first proposed a memorandum of twenty-four articles, which were rejected by the King of Holland, but were acceded to by Belgium after some considerable deliberation.

Now, my Lords, you would naturally suppose that His Majesty's Government, being aware of the difficulties attending this negotia-

tion, arising from the very reasonable repugnance on the part of the King of Holland to accede to the terms proposed, would have gone on slowly with it, or, at all events, would not have hurried the matter when they knew that they could not get Holland to agree to it. Instead of this, they turned the Memorandum of the 15th of November, 1831, into a Treaty, which Treaty the Ministers of the Five Powers signed with Belgium, and which, from that time to this, has been the source of all the divisions that have ensued on this subject. It is curious enough, my Lords, that this Treaty was likewise declared to be 'unalterable and irrevocable.' But, notwithstanding this, they did actually alter it, previous to its ratification and after it was signed by Belgium. There is a note in this collection of papers, of the 4th of January, in which some alterations are made in this very Treaty; and then, because the King of the Netherlands objects to sign it, he is told that he is mad, and that he is advised by certain factious individuals for the purpose of embarrassing His Majesty's Government. When this Treaty came to be ratified, Austria, Russia, and Prussia were found not to agree to it; and, hereupon, the noble Earl asks—'Did we influence those Powers?' I answer—'Yes, we did.' I knew what the result of this Conference would be, as soon as the cause of Holland was abandoned by the British Minister. From that time it was abandoned by the other Ministers, parties to the Conference; and a proof that it was so is to be found in the fact that those Ministers were not authorised by their Sovereigns, in February, to ratify the Treaty. I go further, and I say that, in these very acts of ratification by those three Powers, it was understood that England and France were the Powers which pushed this measure forward, and not the other three Powers. Hear what the King of Prussia says on the subject:—

'The King of Prussia, in sending in his ratification, expects that the Ministers of the signing Powers will immediately occupy themselves with the modifications which might be made in the Treaty in favor of Holland, and which, without altering the substance of the Twenty-four Articles, might be supplementary and explanatory of them, and have the same force and value as the other Articles; and Prussia considers herself more under the necessity of insisting upon this point in consequence of the assurances frequently repeated by France and England, that the moment for taking these important modifications into consideration ought to present itself immediately after the ratification.'

Is it possible, my Lords, that the King of the Netherlands should have known what was then passing in this country? The

Emperor of Russia, in his note accompanying his ratification, speaks still more strongly in favor of those modifications of the Treaty on behalf of Holland. Now, my Lords, these are all the points:—here are the Powers, whose Ministers had framed the memorandum, which was ratified by Russia, Austria, and Prussia, upon the faith that the King of the Netherlands should have justice done to his interests. Then, my Lords, after this ratification of the Treaty, the negotiation recommenced, and considerable progress was made in bringing matters to a conclusion, when the Belgian Minister came forward, and stated that he could not consent to any alteration in the Treaty, unless the Citadel of Antwerp should be first ceded. The business of the British Plenipotentiary,—the business of the British Minister, and of the Ministers of the Conference,—ought to have been, to persuade the Belgian Minister to depart from this pretension; but, instead of so acting, two days afterwards the British Secretary of State for Foreign Affairs sends a note, without consulting his colleagues, to the King of Holland, with a fresh plan of a treaty; but to which note the King of Holland returned no answer; and then it was that the resolution was taken, and from that time forward persevered in, of attacking Antwerp.

My noble friend has been blamed by the noble Earl, because he said it was his firm belief that the measures of the French Government were partly carried on with a view to conciliate the *mouvement* party in that country. I agree entirely with my noble friend (the Earl of Aberdeen). My opinion is, however, that no person in Europe is more interested in preserving peace than the King of France, and that the Ministers of that country are also interested in adhering to the same line of policy. I will take this opportunity of remarking, that my noble friend was mistaken in one of his historical facts, when he supposed that Marshal Soult fought the battle of Toulouse in 1814, knowing at the time that peace had been concluded between France and Great Britain. The fact has been so stated, I know, but it has clearly never been proved. The noble Earl has given no answer to my noble friend as to that part of his speech in which my noble friend showed that no progress whatsoever has been made towards a settlement of this question by the cession of the Citadel of Antwerp. The noble Earl says that the King of the Netherlands has thus been deprived of one means of annoying Belgium. It is perfectly true that he



has been deprived of one of the objects for which he has been contending; but no approach is thereby made to the completion of the Treaty. The objections to the Treaty on the part of the King of the Netherlands remain the same as they were before the fall of the Citadel of Antwerp. But, my Lords, there is one other circumstance attending these transactions well deserving of notice. One would suppose that the King of the Netherlands had disputed the navigation of the Scheldt; but that navigation never had been disputed. There existed a treaty by virtue of which, upon payment of certain tolls to Holland, the Belgians were at liberty to navigate that river.

The noble Earl says that the Treaty could not be carried into execution, so long as the Citadel of Antwerp remained in possession of the King of the Netherlands. But I should like to know why the Treaty has not also been carried into execution as regards other parts of it; as affects Venloo, for instance? The reason, I suppose, is because Venloo is to be ceded to the King of the Belgians, and therefore it is allowed to remain in his possession together with Antwerp. I confess I am not, after this, astonished that the King of the Netherlands does not feel inclined to accede, very readily, to the terms proposed to him by His Majesty's Ministers. When I reflect that an embargo has been laid on Dutch property for three months, and which will probably last for three months longer,—and that this has been done by order of the King in Council,—when I see Acts of Parliament passed on this subject,—I cannot conceive that such a state of things is anything less than a state of war, or that we are not at this moment at war with Holland instead of being at peace.

I have thought it necessary, my Lords, to say thus much on this part of the subject. I will now venture to address you upon another matter,—namely, the war which is now raging in Portugal. I believe, if there be any country in the world in which it is both the duty and interest of England to prevent the existence of hostilities, that country is Portugal. We are bound by treaties to defend her, as she is, in case of need, to defend England. It is affirmed that we are under engagements to observe a strict neutrality towards the two Princes now opposed to each other in Portugal; but we are bound in honor and good policy to protect that country, in which His Majesty's subjects have such interests invested, and with which they carry on such extensive commerce:

yet the present Government have hazarded all these interests by permitting this war to be carried on there by a foreign power. The King, in his Speech, calls it, indeed, a 'civil war.' My Lords, it is a revolutionary war—a war carried on by means furnished in this town, and for the advance of which the inducement is, the hope of plunder. It is carried on by persons who have no interest in the war excepting plunder. Yet this is the war which His Majesty has been advised by his servants to call, upon the assembling of his Parliament, 'a civil war between the two branches of the house of Braganza in Portugal.' The King is made by his Ministers to declare that he is anxiously desirous to put an end to this war. 'I shall not fail to avail myself of any opportunity that may be afforded me to assist in restoring peace to a country with which the interests of my dominions are so intimately connected.' Now, I know something of war, and I know something of war in that country; and I will tell noble Lords how they can put an end to it at once. Let them put forth a proclamation recalling His Majesty's subjects from the service of both parties engaged in the contest,—let them at the same time carry into execution the law of the country,—let them, when the Commissioners of the Customs, in the execution of their exclusive duty, seize vessels carrying out troops, ammunition, and officers, who, I am able to prove, are at this moment serving in those armies, leave the adjudication of such seizures to the proper tribunals; and let not the King's Ministers interfere,—let them employ the British fleet in the Levant, and other places, to which the attention of His Majesty's Government ought to be directed, instead of being employed in watching the shores of the Douro and the Tagus,—let them do all this, and they will soon find that peace will be restored to Portugal without any further sacrifice. But I am sorry to say these are not the measures adopted by His Majesty's Government—nor is the law carried into execution by that Government. My Lords, I engage to prove, that, though the Commissioners of the Customs did, in the autumn of 1831, detain certain vessels in the Thames, having on board the very troops, ammunition, and arms which have been since employed in this war—and although those Commissioners are, by the Act of Parliament, the persons appointed to carry it into execution—they were ordered by a superior power not to interfere.

The noble Earl has said a great deal about the conduct pursued

of the Bill. I mean the 21st clause, in which these words occur:—

‘Provided always, that it shall not be lawful for any such court-martial to convict or try any person for any offence whatsoever committed at any time before the passing of this Act. Provided also, that nothing in this Act shall be deemed or taken to give to such court-martial any power of jurisdiction to try any person or persons charged, or to be charged, with the printing, publishing, or circulating any libel, or with any combination or confederacy, contrary to the provisions of the said recited Statute of the 27th year of the reign of King George III., or with any prevention or obstruction of any person, or any act to defraud any person on the assertion or enforcement of any civil right or claim contrary to the provisions of the said last-mentioned Statute, unless such combination or prevention, obstruction or act, shall be accompanied by force or by threats, but that all such offences, unaccompanied by force or threats as aforesaid, shall remain liable according to the course of the common law.’

My Lords, the court-martial can try no man without the order of the Lord-Lieutenant. It is a limitation of the power given to the Lord-Lieutenant which is inserted in this particular clause. Now I beg your Lordships to allow me to refer to the clause of the 27th George III., which declares—

‘And be it enacted, that any person who shall voluntarily enter into any unlawful combination or confederacy to defraud any clergyman of the Church of Ireland, or lay impropriator, of any tithes or dues, or any part thereof, or obstruct him in the collection thereof, or shall, by force, threats, or other unlawful means, prevent any clergyman, or lay impropriator, or any person or persons employed by him, from selling or disposing of any tithes, or doing any act to defraud any clergyman or lay impropriator of his tithes, or any part thereof,’ &c.

Now, my Lords, this is the clause referred to in this amendment; in consequence of which amendment, the Lord-Lieutenant is prevented from bringing to trial, before a court-martial, any person who shall defraud the clergy of their property. He is allowed so to bring persons to trial for offences against all other classes of His Majesty’s subjects; but in the case of a clergyman who is defrauded of his tithes, and is perhaps in a state of destitution by reason of the outrages committed against him—outrages which, as your Lordships know, are in fact the great evil and cause of all the mischief that renders this and other Acts of Parliament necessary,—in such a case, I say, and for such offences, the Lord-Lieutenant is not authorised to do justice to the party, because that party is a clergyman. I say, it is disgraceful that such an Act of Parliament should be found upon our Statute-book. See the

charity—upon the bounty which they receive from some of your Lordships. I cannot think, therefore, that it was desirable such a paragraph should be introduced—because I fear it must be productive of injurious consequences ; at least it ought not to have been so introduced, unless the measures to remedy the evil alluded to are ready to be brought forward, and have been well matured. Having, however, voted last year in favor of a measure which was brought forward by a Most Reverend Prelate, whom I do not now see in his place, upon this subject, and for a second measure which was introduced by the same high authority, relating to pluralities, I shall be prepared to give the plans of the noble Earl, with regard to the Church, my best consideration, and I shall be most anxious to support them if I find it in my power to do so.

But there is another paragraph in this Speech which I wish to notice : it refers to a different branch of the same Establishment—the Church of England as established in Ireland. The noble Earl (Grey) has stated—and I was delighted to hear it—that it is the determination of the Government to maintain, inviolable, the Legislative Union ; but, begging the noble Earl's pardon, I must say, that, when he advised His Majesty to state that the question of the Church of Ireland must be considered on different grounds from those which would apply to the Church of England, he had forgotten the enactments of a well-known Act of Parliament.

Earl GREY : If the noble Duke reads the passage in the King's Speech, he will find that it does not contain the words which he has quoted.

*THE DUKE OF WELLINGTON* said :

I will read them. The words are these :—

‘In the further reforms that may be necessary you will probably find that, although the Established Church of Ireland is, by law, permanently united with that of England, the peculiarities of their respective circumstances will require a separate consideration.’

Now, I beg to read some words contained in the Act of Union, which I consider to bear upon this subject. It is enacted by the 5th Article,—

‘That the Churches of England and Ireland, as now by law established, be united into one Protestant Episcopal Church, to be called the United Church of England and Ireland ; and that the doctrine, worship, discipline, and government of the said United Church shall be, and shall remain, in full force for ever, as the same are now by law established for the Church of England ; and that the continuance and preservation of the said United Church as the

by the Government when I was in office. I am not aware of having omitted the performance of any duty which devolved upon me during that period. I did not think it was our duty to interfere with respect to the Sovereign of Portugal at that time. Dom Miguel having been appointed Sovereign by the Cortes, it was not the business of the British Government to offer any opposition to their choice; and as long as we continued in office we were seeking for the means of recognising Dom Miguel as Sovereign *de facto* of Portugal. In point of fact, I have no doubt, if we had remained in office a fortnight longer, we should have effected that recognition; for it was never intended to make the proposed amnesty an indispensable condition of that step. Our object in recognising him was to prevent those disasters which I apprehend must arise from the conflict of extreme opinions in the Peninsula.

My Lords, with respect to some other parts of His Majesty's Speech, I must confess that they embrace topics which I could have wished to see treated in a different manner. I confess that I wish His Majesty's Government had advised His Majesty to express himself differently with respect to a reform in the Established Church. I should have desired that, when His Majesty was induced to recommend such a reform to the consideration of Parliament, His Majesty had not been advised to hold out a notion that blame is attributable to the clergy, or that it ever existed, by reason of the condition of the Establishment. Why was it necessary in the Speech from the Throne to say,—‘The complaints which have arisen from the collection of tithes appear to require a change of system.’ I certainly cannot undertake to declare that no such complaints have existed; but I do maintain, and am very sure, that, if they have, they have been trifling in number and amount; and I consider, therefore, that what has been stated in the King's Speech will give encouragement to a party in this country who are anxious to pull down the Church Establishment. Let your Lordships look to the consequences that have resulted from a paragraph on the same subject, which was introduced into His Majesty's Speech last year, in relation to the Church of Ireland. The situation of the Church of Ireland is most deplorable; but I think it has been in some measure occasioned by that paragraph. For what is the fact? Why, that some of the most respectable, the most learned, and the most pious members of that Church, are known to be reduced to the necessity of living upon

charity—upon the bounty which they receive from some of your Lordships. I cannot think, therefore, that it was desirable such a paragraph should be introduced—because I fear it must be productive of injurious consequences ; at least it ought not to have been so introduced, unless the measures to remedy the evil alluded to are ready to be brought forward, and have been well matured. Having, however, voted last year in favor of a measure which was brought forward by a Most Reverend Prelate, whom I do not now see in his place, upon this subject, and for a second measure which was introduced by the same high authority, relating to pluralities, I shall be prepared to give the plans of the noble Earl, with regard to the Church, my best consideration, and I shall be most anxious to support them if I find it in my power to do so.

But there is another paragraph in this Speech which I wish to notice : it refers to a different branch of the same Establishment—the Church of England as established in Ireland. The noble Earl (Grey) has stated—and I was delighted to hear it—that it is the determination of the Government to maintain, inviolable, the Legislative Union ; but, begging the noble Earl's pardon, I must say, that, when he advised His Majesty to state that the question of the Church of Ireland must be considered on different grounds from those which would apply to the Church of England, he had forgotten the enactments of a well-known Act of Parliament.

Earl GREY : If the noble Duke reads the passage in the King's Speech, he will find that it does not contain the words which he has quoted.

*THE DUKE OF WELLINGTON* said :

I will read them. The words are these :—

‘In the further reforms that may be necessary you will probably find that, although the Established Church of Ireland is, by law, permanently united with that of England, the peculiarities of their respective circumstances will require a separate consideration.’

Now, I beg to read some words contained in the Act of Union, which I consider to bear upon this subject. It is enacted by the 5th Article,—

‘That the Churches of England and Ireland, as now by law established, be united into one Protestant Episcopal Church, to be called the United Church of England and Ireland ; and that the doctrine, worship, discipline, and government of the said United Church shall be, and shall remain, in full force for ever, as the same are now by law established for the Church of England ; and that the continuance and preservation of the said United Church as the

Established Church of England and Ireland shall be deemed and taken to be an essential and fundamental part of the Union.'

Now, whatever may be thought practicable to be done with respect to the Church of England in England, I can have no objection that the same principle should be carried into effect as regards the Church of England in Ireland; but I am afraid that the doctrine laid down in the Speech from the Throne,—that a different measure of reform for the Church of England may be adopted in Ireland from that which may be considered necessary to be applied to it in England,—will be considered in Ireland as a breach of the Act of Union. There is yet another view of the subject which I cannot help stating, and to which I beg the particular attention of the noble Earl. It is this: that, in order to maintain the Union inviolate, it is absolutely necessary to pay some attention to the feelings of the Protestants of Ireland. I am happy to hear that His Majesty's Ministers are about to adopt efficient measures for restoring order in that country. My only regret is, that these were not resorted to much earlier; as, in that case, they would have been more effective than they are likely to be now. But your Lordships may rely upon it, that, if any measures are to be introduced, the effect of which shall be to induce the Protestants of Ireland to believe it is the intention of the Government to diminish the efficacy of the Church of England in Ireland, it will be impossible but that such a step must give rise to the greatest alarm; and the danger to the Church and to the empire must thereupon become indeed imminent. The Protestants of Ireland are the friends of order in Ireland, and they are the natural friends and connexions of England; and I entreat the noble Earl, and your Lordships, never to lose sight of this important truth. I would further beg to remind the noble Earl and the House, first, that His Majesty has sworn to maintain the Established Church of England in Ireland; and secondly, that in the very last arrangements made to remove the disabilities, as well of the Dissenters from the Church of England as of the Roman Catholics of Ireland, words were inserted in the oaths to be taken by them, for the security of the Protestant Establishment. I consider those oaths as principles; and that we ought not to run counter to them in any manner whatever. I admit that His Majesty's Ministers are placed in an anxious and responsible situation, and I shall be glad if the measures to be brought for-

ward by them shall be such as I can support. In conclusion, I assure your Lordships that it is with feelings of a most painful nature that I have found myself called upon by a sense of duty to make the observations with which I have troubled your Lordships upon the present occasion.

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*February 15, 1833.*

### SUPPRESSION OF DISTURBANCES (IRELAND).

Earl GREY having stated the nature of a Bill for the effectual repression of disturbances in Ireland,

*THE DUKE OF WELLINGTON* said :

I hope your Lordships will not suppose that I rise for the purpose of offering any opposition to, or throwing any difficulty in the way of, the proposition of the noble Earl. My Lords, I have listened with attention to the noble Earl's statement; and so far from intending to offer any opposition to the Bill which he has laid on the Table, I am disposed to give it every support in my power. Nor shall I utter a word calculated to cause any soreness to those who bring forward and support the motion; for I think it desirable that a measure in the general principle of which, I presume, your Lordships are agreed, should pass unanimously. I may, however, without wishing to bring on a discussion, state, that I still entertain the opinion which I have more than once expressed in this House, that some measure of this kind ought to have been introduced before now. I was of opinion,—and I remain so,—that the Government ought not to have allowed the Proclamation Act to expire so soon as it did,—an opinion in which, I believe, very many of your Lordships were disposed to concur with me at the time. The result has been what I thought it would be; and we see it more fully in the necessity which has brought the present measure under consideration. I repeat, that with that measure I do not mean to quarrel; I only hope that it will be successful, and produce the desired effect.

Having said thus much, I shall not now enter into the consideration of the evils and their causes to which the noble Earl has alluded; but, in reference to the cause of some of those evils, it appears to me that the noble Earl has not hit the great cause which has produced the present state of Ireland; and, therefore, I fear that the measures now brought forward will not be found



strong enough to meet it;—I allude to the evil of a perpetual conspiracy between the priests and demagogues of Ireland against our Government of that country. My Lords, I admit that the suspension of the Habeas Corpus Act will go far to meet this; but I fear that it will not be found strong enough to reach it. The noble Earl seems to place great reliance on the efficacy of courts-martial; but he should bear in mind that courts-martial cannot act without having evidence on oath before them; yet if the measures of intimidation of which the noble Earl has spoken are still to be carried on, it may be difficult to obtain that evidence, and in that case he may find his whole machinery of courts-martial break down. I throw this out as matter for the consideration of the noble Earl. I well know what courts-martial are; I know that every dependence may be placed on officers of the army for the honest and honorable discharge of any duties which they may be called on to perform; but before they decide, they must have full evidence before them. I do not state this with a view of provoking any discussion at present—for that I reserve myself until the second reading of the Bill,—I only venture to throw it out as a suggestion for consideration.

Another point to which I would beg to direct the attention of the noble Earl is, that which relates to the arrest of persons charged with offences against the proclamation, or against any Act by which they may be brought under the jurisdiction of the courts-martial. Do I understand the noble Earl to mean that the courts-martial on military officers are to undertake those preliminary duties which are now discharged by magistrates and officers of the civil power, such as the arrest of persons, taking informations, and other necessary forms preliminary to the trial of the accused? If military officers are to perform the part of the police and of the magistrates, I am much afraid that they will not answer the proposed object,—that they cannot go on with the trial of the accused without the ordinary aids usually rendered, at present, by magistrates and others of the civil power.

My Lords, I shall now say a word upon another point. The noble Earl has not said anything about the approval of the decision of the courts-martial. All that I was able to collect from what the noble Earl stated on this head was, that the judgment of the courts-martial should be binding, the same as that of His Majesty's courts of oyer and terminer. But let it be recollected,

that the decisions of courts-martial are not considered final until they have been approved of by the Crown. Is it intended that the judgments of courts-martial in proclaimed districts in Ireland should be sent for approval to the Lord-Lieutenant, who represents the Crown? If so, my objection is answered, for I think it would be most unjust and impolitic to give this power to courts-martial, without allowing them the aid of a superior authority, which ought to take upon itself the responsibility of the confirmation of the sentence.

Before I sit down I should wish to say a word in reference to what fell from the noble Earl on the subject of the Catholic question. The noble Earl expressed his regret that the concession of the claims of the Catholics had not been productive of all the benefits which had been expected from it; and one reason assigned by the noble Earl was, that the concession of those claims had been forced from the Government. Why, my Lords, I have stated to your Lordships, over and over again, the causes which induced the Government of that day to recommend the grant of that concession to the King. They stated that Ireland, not from one cause alone, but from many causes, was at that time in a state bordering on civil war. They did not say that civil war was to be expected; they might, if they had been so disposed, have occasioned a civil war, and thus have postponed the concession; but they did not take that course. They never thought of making the concession through fear. They saw Ireland, for many causes, in a state bordering on civil war; and they recommended the concession of the Catholic claims as a measure likely to be productive of most beneficial effects; but they never said, and never were under any apprehension of the fact, that a civil war in Ireland would have been the consequence of a refusal of those claims; and I own that I was surprised to hear any such insinuation thrown out. There are many noble Lords now present who well know the grounds on which that great question was brought forward, and who can bear testimony that it did not originate in any fears that a civil war would be the consequence of its refusal. Having made these few remarks, my Lords, I shall not trouble your Lordships further, but repeat, that it is not my intention to offer any opposition to the motion of the noble Earl; but that, on the contrary, I give it all the support in my power.

*April 1, 1833.*

On the question that their Lordships do agree to certain amendments, principally relating to Courts-martial, introduced by the House of Commons,

*THE DUKE OF WELLINGTON* said : —

It appears to me that, according to the original Bill, there were three modes of dealing with the offences mentioned in this clause. There were two modes of dealing with them in districts not proclaimed under the second part of the Bill, and still another mode in the proclaimed districts. One mode was, by summary trial before two magistrates, according to the enactments of the Bill of 1829 ; another was, according to the ordinary course of the common law ; and the third mode was, by courts-martial in districts that should be proclaimed under the operation of this Bill. Now, what is the alteration proposed in this Bill ? That if the offence be committed in one part of the kingdom which is not proclaimed, or though it may be such an offence as might be tried in a summary way by two magistrates, it is now to be decided according to the course of the common law ; and yet, notwithstanding this, the preamble of the Bill states,—

‘Whereas divers meetings and assemblies, inconsistent with the public peace and safety, and with the exercise of regular government, have, for some time past, been held in Ireland : and whereas the laws now in force in that part of the United Kingdom have been found inadequate to the prompt and effectual suppression of the said mischiefs, and the interposition of Parliament is necessary for checking the further progress of the same.’

The Bill then goes on, for the purpose of preventing the holding of unlawful meetings, to enact that those engaged in them should be tried by summary process, or before a court-martial, in case such assemblies be held in proclaimed districts. Now what is the effect of the amendment of the Commons ? The effect of the alteration is, that the summary process is altogether to be put an end to ; and even in the proclaimed districts, in which it was said that the law could not take effect at all, yet, if certain offences be committed, the offender is not to be tried by summary process, nor before courts-martial, but in a manner which is declared in the Bill itself to be impracticable—namely, by a court of common law. I have no wish to create any prejudice against the noble Earl opposite for passing this measure ; but if the courts of common law are capable of doing the business at all, they ought to do it altogether,

and courts-martial ought not to be called into existence; but if courts-martial must be created—if witnesses and jurors are threatened first and afterwards murdered, so that truth cannot be elicited, and justice cannot be effected—Parliament ought to do that which is necessary, and ought not to fritter away the provisions of the measure, merely because it is said that these are political offences, and therefore ought not to be brought under the authority of courts-martial. The question is, whether justice can be executed or not in those districts which will be proclaimed? If it can be executed, courts-martial ought not to be established at all; but if it cannot be executed, I then say that courts-martial ought to have the power of trying these offences as well as every other.

After some discussion the amendments were agreed to.

On the amendment to Clause 4, providing that the Lord-Lieutenant should not be empowered to apply the provisions of the Bill merely because tithes had not been paid,

*THE DUKE OF WELLINGTON* said:

The first part of this clause gives the Lord-Lieutenant the power of proclaiming any district in a state of disturbance or insubordination; and then it goes on to say, that it shall not be lawful for him to apply the provisions of this Act to any county or district merely because tithes shall not have been paid by such county or district. My Lords, a county or district may be disturbed in consequence of outrages connected with tithes. That, however, is not my objection. My objection to this proviso is this, that it expresses the tacit approbation of Parliament of this system of disturbance in Ireland—of the very foundation on which the present system of violence and outrage rests. That is the objection which I have to this clause; and I would earnestly entreat your Lordships to consider the matter well before you decide it. My Lords, what is the cause—what is the occasion of all these disturbances? Why, about two years ago it was discovered that this species of property in Ireland ought no longer to be supported. And then what happened? Why, Parliament does not proceed to declare, ‘whereas tithes shall no longer be paid;’ but we proceed to insert in an Act of Parliament a proviso that means nothing at all, if it does not mean this,—that Parliament does wink at, does connive at, and does approve of this system of opposition to the payment of tithes. My Lords, this is not the only view which I take of this case. I cannot help alluding to another clause towards the end

of the Bill. I mean the 21st clause, in which these words occur:—

‘Provided always, that it shall not be lawful for any such court-martial to convict or try any person for any offence whatsoever committed at any time before the passing of this Act. Provided also, that nothing in this Act shall be deemed or taken to give to such court-martial any power of jurisdiction to try any person or persons charged, or to be charged, with the printing, publishing, or circulating any libel, or with any combination or confederacy, contrary to the provisions of the said recited Statute of the 27th year of the reign of King George III., or with any prevention or obstruction of any person, or any act to defraud any person on the assertion or enforcement of any civil right or claim contrary to the provisions of the said last-mentioned Statute, unless such combination or prevention, obstruction or act, shall be accompanied by force or by threats, but that all such offences, unaccompanied by force or threats as aforesaid, shall remain liable according to the course of the common law.’

My Lords, the court-martial can try no man without the order of the Lord-Lieutenant. It is a limitation of the power given to the Lord-Lieutenant which is inserted in this particular clause. Now I beg your Lordships to allow me to refer to the clause of the 27th George III., which declares—

‘And be it enacted, that any person who shall voluntarily enter into any unlawful combination or confederacy to defraud any clergyman of the Church of Ireland, or lay impropriator, of any tithes or dues, or any part thereof, or obstruct him in the collection thereof, or shall, by force, threats, or other unlawful means, prevent any clergyman, or lay impropriator, or any person or persons employed by him, from selling or disposing of any tithes, or doing any act to defraud any clergyman or lay impropriator of his tithes, or any part thereof,’ &c.

Now, my Lords, this is the clause referred to in this amendment; in consequence of which amendment, the Lord-Lieutenant is prevented from bringing to trial, before a court-martial, any person who shall defraud the clergy of their property. He is allowed so to bring persons to trial for offences against all other classes of His Majesty’s subjects; but in the case of a clergyman who is defrauded of his tithes, and is perhaps in a state of destitution by reason of the outrages committed against him—outrages which, as your Lordships know, are in fact the great evil and cause of all the mischief that renders this and other Acts of Parliament necessary,—in such a case, I say, and for such offences, the Lord-Lieutenant is not authorised to do justice to the party, because that party is a clergyman. I say, it is disgraceful that such an Act of Parliament should be found upon our Statute-book. See the

state in which the Church of Ireland is placed! See the condition in which the property of that Church stands at this moment! I entreat your Lordships to recollect what was said by the noble and learned Lord on the woolsack on the first or second day of this Session. His words ought never to be forgotten by any man who values liberty: they ought to be engraven on the heart of every statesman. I beg your Lordships to recollect these words:—

‘Protection, your Lordships are aware,—protection affording security of person and property,—is the first law of the State. The Legislature has no right to claim obedience to its laws—the Crown no right to demand allegiance from its subjects—if the Legislature and the Crown do not afford, in return for both, protection of person and property. Without protection the Legislature would abdicate its functions if it demanded obedience. Without protection the Crown would be an usurper if it sought to enforce allegiance. The necessity of the case,—the necessity of affording protection to the orderly and peaceable,—is my first ground for joining my noble friend in the responsibility of this measure.’

Now, my Lords, if ever there was a case in which the protection of the Legislature was required for a body of men who willingly pay allegiance to the Crown, it is the case of the clergy of Ireland; and if ever there was a single case in which it is clear that protection is refused—refused solely because they are the clergy of the Irish Church—refused solely because the property they claim is tithes—it is this now under your consideration. With respect to the first amendment, my objection is that it sanctions, and as it were implies, a Parliamentary declaration in favor of the spoliation of the Church of Ireland. My objection to the second amendment is, that it deprives the Lord-Lieutenant of the power of sending for trial, before a court-martial, if he should think it necessary to do so, a case in which a combination may have been formed in order to deprive some unfortunate clergyman of his tithes. Those tithes, however, are as much his property as are estates of laymen the property of their owners; and they are as much entitled to the protection of the law. My Lords, we are too apt to pass over the first approaches of injustice. We talk of the distresses of the poor of Ireland. I believe that those distresses are very much exaggerated. I think, and sincerely hope, that my opinion is well founded; but if there does exist such overwhelming distress among them, it is owing to the state of insecurity in which men feel their property to be placed in that country, which prevents them from undertaking those enterprises by which that property would be increased, and

which would give employment and subsistence to the poor. It is questions of this description—questions arising from a refusal on the part of Government to give protection to the enjoyment of property of every kind—which paralyse the efforts of the rich and increase the distresses of the poor. But, my Lords, under the British Constitution, to pass an Act, one clause of which leaves it in doubt whether or not the Legislature intends to maintain Church property, and a subsequent clause of which deprives the Lord-Lieutenant of the power to give to the clergy that support which he would be able to extend to every other class of His Majesty's subjects, is, I contend, a gross and wanton violation of the whole spirit of that Constitution, and of all the rights of person and property which it has hitherto recognised and upheld.

Amendment negatived by 85 to 45.

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*April 26, 1833.*

#### JURIES (IRELAND) BILL.

On the question that this Bill be read a third time,

*THE DUKE OF WELLINGTON* said :

I have to apologise to your Lordships for having been obliged to request you, on personal grounds affecting myself, to postpone the third reading of this Bill ; but I certainly expected, from what had previously passed, that the consideration of the Report would have been postponed till after the recess. Had it not been for this misunderstanding, I would have attended the discussion on the Report, and then stated my objections to proceeding further with the Bill. I am of opinion that this is exactly the time at which such a measure ought not to be adopted. Your Lordships, in consideration of the miserable state of Ireland, have lately adopted the Coercion Bill, now in the course of execution in certain districts of that country. Besides that, there is another measure relative to trial by jury in the other House of Parliament—a measure which tends to suspend, for the moment, the ordinary trial by jury in Ireland, by removing the venue to different counties. Circumstances have come out at the late assizes which prove that it is impossible to rely on the fairness of trial by jury in any part of that unfortunate country. I have received lately a very detailed account

of what occurred at the late assizes for the county of Kilkenny, and, with your Lordships' permission, I will mention it to the House, because not only does it go fully to justify His Majesty's Government in the measure recently passed, but it shows what is to be expected from the juries, at the same time that it illustrates the general state, of Ireland. From the preceding assizes, up to the period of the late assizes for the county of Kilkenny, there were 928 outrages, nearly every one of them being of an insurrectionary character, which stood for trial. There were some murders included in this list, but not a single person could be brought to trial for murder. No evidence could be produced. There was only one attempt to bring forward a case. With the exception of forty persons who were sentenced to transportation, the remainder were not tried at all, but were discharged by proclamation. The witnesses in the cases tried were either policemen, or, if not, men whom the Government was under the necessity of contracting to send abroad after they should have given evidence. Numbers of jurymen refused to attend, notwithstanding they were called on 50*l.* and 60*l.* fines. This will show the state of the country ; and from these causes a large number of men, amounting to nearly 900, have been thrown at large upon the public, without trial, though accused of very serious offences ; and by a clause which has been added to the Coercion Bill in the House of Commons, they could not be tried under that Act. Yet this is the time which the Government has selected to new-model the jury-laws in Ireland on the system of this country, and they think that when they have made those changes they have provided sufficiently for the due administration of the law and of justice in the country, for doing justice between man and man, and for the preservation of life and property. I contend that this moment is, above all others, the most unfortunate that could have been selected for the purpose of bringing forward a Bill to regulate juries in Ireland ; but I have strong objections to the introduction of such a measure as this at any time. The Judges in Ireland, who are the persons most capable of forming an opinion on the subject, have invariably objected to the adoption of this measure. They are disappointed entirely by these jury-lists, which give a degree of pretension to certain persons to be put on juries, and are calculated to have an injurious effect upon the administration of justice. I have read a charge of one of the Irish Judges, in which he declared that he relied on the



responsibility of the sheriff, who was sworn to select honest and proper persons as jurymen from the great mass of the respectable people of each district. The Judges have objected to the entire system, yet still His Majesty's Ministers persist in bringing forward this Bill. Another objection which I have to this Bill regards the subject of qualification. The excuse for the Bill is an imitation of the English system; but the qualification of jurors is lower than in England, although it ought to be higher. The qualification in the English Bill is 10*l.* a-year property, or 20*l.* on a lease for twenty-one years, or being a householder in Middlesex rated above 20*l.*, or the occupier of a house with not less than fifteen windows. In Ireland the qualification consists in being a 10*l.* freeholder, or having 15*l.* a-year on lease. Now I would ask why is the 15*l.* leaseholder in Ireland to be considered equal to the 20*l.* leaseholder in England? Is it not known that persons of the former class are men in the humbler walks of life, generally under the dominion of their priests? Are such men fit to discharge impartially the functions of jurors? Why not give the duty to those in a more elevated sphere in life, on whom we can place much greater reliance? I maintain that in Ireland it is absolutely necessary to take the administration of justice out of the hands of the lower and middle classes, and assign it to the more respectable and independent branches of the community; and further, I contend that with this view, and in order to keep the administration of justice pure, the qualification of jurymen in Ireland should be higher than in this country. What happened a short time ago at the special commission in the Queen's County will be an illustration of what I mean. A sufficient number of common jurors did not answer to their names. The gentlemen of the county (to whose public spirit, on every occasion, too much praise cannot be given) who were in attendance, and had not been on the grand jury, offered themselves as special jurors; and they discharged the duty in a manner which was found most just and most serviceable to the due administration of the law. This will abundantly show that, if the qualifications of jurors were raised so as to bring in only men in the higher classes, there would be no complaint against the want of a due administration of justice. It will be admitted that there is no country which requires more attention in guarding the rights of property than Ireland—no country where it is so necessary to tranquillise men's minds with respect to the safety of their lives and property. I do

not want to exaggerate the general impression on this subject, but I would ask what is the cause of the great poverty and misery which prevail in Ireland? It is, I contend, the general insecurity of life and property in that country, from the absence of law and justice, which cannot be enforced without the attendance of jurors. For this reason, I call on your Lordships to pause in the progress of this measure, and to take care that you give to Ireland such juries as will lend their aid to the protection of life and property. I contend that this is a positive duty on the part of Parliament, and that there is nothing in which we are so directly interested as to relieve Ireland from alarm, from rioters and riot. If we looked to nothing but the pecuniary interest of this country, undoubtedly to revive Ireland from the miserable state in which she is ought to be one of our primary objects, and we should take steps for its accomplishment. Give to Ireland a better description of jurors, and you remove one great cause of the evil. I repeat it is not only the duty, but also the interest, of this country to relieve Ireland from rioters and riotous proceedings. No country possesses greater local advantages than she does. Her ports, bays, and rivers, give every facility for commerce; her soil is rich, and she has a population, generally disposed to industry, of not less than 8,000,000; yet, with all these advantages, she is rather a burden than a relief to this country, for she does not contribute anything like one-third to the exigencies of the State, which she might do if her resources were properly brought forth, and if a system were firmly established which would effectually secure the rights of property, and do justice between man and man. I do not consider the present Bill calculated to effect these objects. In my opinion, it will not lead to the punishment of the evil-doer, and the protection of the honest man; therefore I think it ought not to pass. A Bill on the same subject came up from the other House of Parliament in the last Session, and it appears that one of His Majesty's Ministers promised a certain influential individual in the other House that the Bill should pass. It happened, however, that your Lordships decided against it, and it did not pass. Hence another Bill has been brought in on the subject, dissimilar, indeed, in some respects from the last, but as I think abundantly objectionable. It would seem that it is intended that the present Bill should pass; but in my opinion nothing can be more fatal to the interests of the country than the description of bargaining referred to, which always produces bad measures. I

wish to make an amendment in the Bill, with a view to render its meaning more clear than it is at present. In the eleventh clause there is a proviso empowering the sheriff or returning officer to exercise that discretion relative to the panel which he is now authorised by law to exert, save and except that he is not to insert in the panel names not contained in the jurors' book. Now this proviso refers to laws which are repealed by the present Bill.

There is an Irish Act of the 12th Geo. III., cap. 4, relative to the duties of sheriff, in which oaths are appointed to be taken by the sheriff or sub-sheriff, declaring that they will make out due panels of able and proper men, as appointed by the statutes of the realm, all which statutes, I repeat, are repealed by this Bill. There is nothing like clearness in the matter. The sheriff is bound by oath to select proper persons as jurymen, but the laws enabling him to do so are repealed. I mean to move a proviso that the high or sub or under sheriff, or returning officer, shall be bound to make returns of persons able and sufficient by estate and circumstances, and not suspected or procured—inserting in the panel only such persons as shall be duly qualified by law to serve the office of jurors.

Debate adjourned.

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May 2, 1833.

### WEST INDIA SLAVERY.

*THE DUKE OF WELLINGTON* said :

I rise, my Lords, to present two petitions on the subject of negro slavery ; one from the bankers, merchants, and inhabitants of Belfast, and the other from the inhabitants of Edinburgh. The petitioners of Belfast pray for the abolition of negro slavery, but they suggest that, in the settlement of this question, due attention should be paid to the interests of the West India proprietors ; and they hope that the alteration of a system which has so long been established, and which so deeply affects the interests of the slave population, may not be brought about immediately or precipitately, but cautiously and with due circumspection ; so that the condition of the slaves may be gradually improved, with the view of making them an industrious and happy people ; that the planter's present legal right in his slaves may be acknowledged in the

fullest manner; they pray that, in whatever change it may be thought necessary to effect in this species of property of our fellow-subjects, the West India proprietors, that property may be equitably dealt with, by affording a fair compensation to the owners; that their civil and political rights may be respected; and finally, that your Lordships will take immediate steps for effecting gradual emancipation. Such is the prayer of the petition from Belfast. The petition from Edinburgh is, I understand, signed by more than 2400 persons; and as this petition is of great importance, and enters fully into the subject to which it refers, I beg it may be read at length. When that has been done, I shall take the liberty of troubling your Lordships with a few general remarks on this subject.

The petition was then read at the table accordingly. It prayed that emancipation might be carried into effect upon the principles laid down in the resolutions on the subject of slavery adopted by the Legislature in the year 1823.

*THE DUKE OF WELLINGTON* said:

In moving that these petitions do lie on the Table, I think it but fair to the Edinburgh petitioners that I should remind your Lordships of what those resolutions were which are referred to in the prayer of their petition. They are as follows:—

‘ 1. That it is expedient to adopt effectual and decisive measures for ameliorating the condition of the slave population in His Majesty’s colonies.

‘ 2. That through a determined and persevering, but at the same time judicious and temperate enforcement of such measures, this House looks forward to a progressive improvement in the character of the slave population, such as may prepare them for a participation in those civil rights and privileges which are enjoyed by other classes of His Majesty’s subjects.

‘ 3. That this House is anxious for the accomplishment of this purpose at the earliest period that shall be compatible with the well-being of the slaves themselves, with the safety of the colonies, and with a fair and equitable consideration of the interests of private property.’

Now these are the only resolutions upon which any measures connected with the prayer of these petitions have hitherto been founded. These are the declarations of a former Parliament upon the subject; and it is not necessary that I should advert particularly to the measures which have been adopted by every Government that has held office from that period to the present, with a view to carry those resolutions into effect. It is evident from these resolutions, however, that emancipation was intended to be progressive and gradual. Such was the principle upon which it

was meant by Parliament that all measures to be founded upon those resolutions should be carried into execution ; not such principles as are now called for by certain parties advocating measures of a very different character. Your Lordships never heard then of ' immediate abolition ' of slavery : it was to be gradual emancipation, such as should be consistent with the rights of property and with the well-being of the slave. And here, my Lords, I beg to claim, for the different Governments to which I have had the honor of belonging down to the month of November, 1830, the credit of having acted on the spirit of those resolutions, and of that perseverance with which those Governments pressed measures founded thereon upon the colonies. I must also claim for the colonists the merit of having adopted the measures, one or all of them, which had been so recommended by His Majesty's Government. I do not mean to say that any one colony adopted all the measures proposed to them, but I say that every part of the measures so proposed was adopted by one or other of the colonies. Under these circumstances, it is evident that the Governments I have referred to acted up to the principles laid down in these resolutions ; and the present Government ought to persevere in that system, which is the only one that ought to be adhered to. Now, my Lords, let me refer to the Order in Council of May, 1830, which went to effect for the slave the great object of compulsory manumission ; and I say that that measure alone tended to accomplish all the ends contemplated by these resolutions, if firmly enforced by the Government. The fact is, that that Order in Council proposed that a slave should not receive his manumission, unless, with money resulting from his own labor, he should be enabled to purchase it from his master, at an equitable rate, according to certain provisions framed for that purpose—unless, in short, by his habits of industry and prudence, he should be in a fit state to enjoy his freedom, and to become a valuable member of society. By such means it was that Parliament intended to carry these resolutions into effect ; but I can entertain no doubt whatever, that, if the present Government were to adopt the course which is now urged upon them from certain quarters, that course would be speedily productive of all the fatal consequences apprehended by these petitioners. My Lords, it is perfectly true that the measures recommended in these resolutions would not be competent to accomplish the sudden emancipation of the slaves in the West Indies ; but it

is likewise true that they would not be productive of such evils as are contemplated by these parties as the result of such a proceeding. It is impossible not to see that consequences must ensue which would put an end to all security to property in the West Indies. The petition from Edinburgh states that there is at the present moment no inducement whatever to the slaves, in consequence of the delusions which have been held out to them, to labor for more than merely their food. In such a state of things, can any one be so blind as not to see that property in the West Indies must be deteriorated, if not entirely lost? And how, and for what? Why, merely because it is considered proper, by certain individuals, to carry the measure of emancipation into effect a few years sooner than Parliament contemplated. If there be anything of truth in the apprehensions of these petitioners (and I must say that we hear such apprehensions expressed pretty generally in society), I want to know whether we shall not be acting very unjustly towards the West India proprietors, and all the relative interests in this country connected with them, if we press upon them a measure for the total and immediate emancipation of the negro slaves. I beg your Lordships to look at the question in this point of view. I say that—not to mention the West India proprietors—the country itself will be a severe sufferer if the abolition is to be total and immediate. The petitioners state, and truly state, that a very large revenue is derived from the trade which is carried on with these colonies—that in the year 1830 the amount of revenue received from these colonies was 7,800,000*l.*, and that last year it amounted to between 5,000,000*l.* and 6,000,000*l.* My Lords, I ask whether it is not an object to preserve to the country such an amount of revenue as this? Look to the amount of exports to these very colonies which you are going to destroy, if you pass a measure for immediate emancipation. The annual amount of exports from these colonies to all parts of the world is stated to be 120,000,000*l.* sterling, and the value of British goods exported from this country to the colonies is 5,500,000*l.* Here is a commerce which gives employment to 250,000 tons of our shipping, independent of 100,000 tons belonging to His Majesty's North American colonies, making in the whole 350,000 tons of shipping employed in the trade of these colonies.

Again, my Lords, besides the value of this trade, there is a very large income drawn by proprietors of estates in the West Indies

which is spent in this country. It is perfectly true that the amount is very small in comparison with what it has been heretofore, but even at this moment it is considerable, and ought to have its due weight with the Legislature, when it is recommended to us to carry an immediate measure of emancipation into effect. I beg your Lordships to bear in mind that this country is a consumer of sugar to a greater extent than all the rest of Europe besides, leaving Ireland out of the question. Now if we abandon this trade, and give it up altogether, by which means also we should lose the advantage of those exports of British commodities which the colonies take from us, I want to know from what other source we are to be supplied with equal means? I suppose it will not be contended that we are not to consume sugar; and if we are to consume that commodity, I beg to ask whence we are to get it from? Why, from colonies which produce every article they export by means of slave labor. It must be supplied by colonies which at this moment are carrying on the slave-trade, which, so far from abolishing it, will carry it on to a far greater extent when they find that they are to be the only producers of an article which is consumed to so great an extent in this country. We shall be in the same condition with regard to sugar as we are at this moment with respect to cotton, which we take from countries, the whole population of which, it may almost be said, are slaves. We can get sugar under no other circumstances, and even then we must get it at the loss of 7,000,000*l.* of revenue. Now I do say that, when such facts stare us in the face, for noble Lords to come down and call upon your Lordships to adopt immediate measures of emancipation, does appear to me to be something very like insanity. I think it well worth your Lordships' while to see how the case stands between the West India proprietors, the public, and this trade, at this moment, in order to prove the state and condition to which the West India proprietors are reduced.

I hold in my hand an account of the receipts and disbursements of an estate in one of our colonies, which, I think, may be taken as a fair illustration of the general condition of West India estates. The statement relates to the year 1832, in which year 161 hogsheads of sugar were sent to England. The estate in question consisted of about 180 acres cultivated for sugar, and of about 900 acres of pasture and negro provision-grounds. The number of the negro peasantry on the estate amounted to 98 males, from

66 years old down to 1 month; and 117 females, from 83 years old down to 4 months. These 161 hogsheads of sugar were sold in London in 1832, and produced 6372*l.* 14*s.*; and the following payments were charged thereon:—Customs, 2955*l.* 19*s.* 6*d.*; West India Dock Company, for warehousing, 86*l.* 10*s.* 4*d.*; shipowners, for bringing home sugar, 628*l.* 9*s.* 7*d.*; London merchants, for managing sales, 191*l.* 3*s.* 4*d.*; underwriters, for insurance, 75*l.*; 37 different firms in London and the manufacturing towns, for the usual annual supply of manufactured articles required on the estate, namely, clothing, salted provisions, iron nails, iron hoops, paint, hoes, bills, hatchets, tallow, soap, candles, oil, stationery, salt, medicines, &c., 667*l.* 8*s.* 6*d.*; sundry small disbursements in England, 56*l.* 9*s.* 8*d.*; to pay ordinary outgoings in Jamaica, over and above the produce of the rum, 403*l.*; making the total disbursements 5064*l.* 11*d.*, which, deducted from 6372*l.* 14*s.*, the amount received for the 161 hogsheads of sugar, leaves a balance payable to the proprietor of 1308*l.* 13*s.* 1*d.*

Thus a sum, amounting to nearly half of the whole produce, was paid in the shape of duty; and of the remaining portion, two-thirds passed into the hands of the shipowners, manufacturers, and others, in this country—the remaining one-third only of the moiety going into the pocket of the proprietor. This estate is one which is entirely free from debt. A new sugar-mill, to be made in London, and which would cost 600*l.*, is required on the estate, but the order for its construction is suspended, owing to the uncertain state of our West India affairs; and this affords an example of the extreme injury which is done to the English mechanic by the scheme which is to be productive of so much benefit to the negro. Now if this noble property that we have in our West Indian possessions is to be destroyed, I want to know who will suffer? Why, the resources of the country, and consequently the Government. It is true that the interest of the British manufacturer will be sacrificed, and the proprietor of the estate in the colony ruined; but it is also true that the Government and the public of this country will be the greatest sufferers in consequence. It is a fact which must never be overlooked, that the fortunes of the West India proprietors are expended in this country, and that all the supplies required on these estates are derived from England.

Are we to suppose, my Lords, that the poverty of which we hear such loud complaints—the distress which I hope is exaggerated—



is not, in some degree at least, to be attributed to the condition in which West India property is placed? The unfortunate state of this description of property is a consequence of the total neglect and disregard of West India interests which has prevailed, and still continues. I did everything in my power, when in office, with a view to relieve those depressed and suffering interests; and it is not my fault if a like system has not been since pursued. Of this I feel entirely convinced, that till the public feels the situation, and is disposed to do justice to the just claims of the West India proprietors, we shall not cease to feel the misery which the present state of things in these colonies unavoidably produces.

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May 17, 1833.

*THE DUKE OF WELLINGTON*, in presenting petitions on the subject of Slavery, said:

I have the honor to present to your Lordships three petitions on the same subject, but somewhat differing in their prayer from those which have been presented by the noble Baron. They come from the heritors, tenants, Kirk session, and other inhabitants of Rosemarky; provost, magistrates, and other inhabitants of Fortrose; and from the inhabitants of the eastern part of the county of Ross; and they pray, in common with the petitioners whose petitions have been presented by the noble Lord, that negro slavery may be abolished; but they pray also, that, in any measure to be carried into execution for effecting that object, due regard may be had to the property and interests of the proprietors of estates in the colonies. I feel myself called upon to state before your Lordships, that I concur, in common, I believe, with a very large portion of His Majesty's subjects, most heartily in the prayer of these petitions, and not in the prayer of those which have been presented by the noble Baron.

I contend that the views of these petitioners, whose petitions I have had the honor to present to the House, are more consistent with the resolutions of Parliament, and of Acts of Parliament on this subject, by which this description of property has been specially dealt with, than those which have been presented by the noble Baron. My Lords, these petitioners consider that, not only for the sake of the negroes themselves, but for the sake of property and its existence in those countries, any measure of emancipation

ought to proceed gradually and with due caution, and that every consideration ought to be given to the existing state of things as regards the nature and the just rights of property in those colonies. I must say, also, that the views which these petitioners have taken of these subjects are in entire concurrence with those put forth in a paper written by one of His Majesty's Ministers on this subject—a most able paper, certainly—in which the danger likely to arise from proceeding hastily in a matter of this extensive and vital importance is most forcibly pointed out, and the necessity is demonstrated that exists for providing labor for those persons who are to be the object of any measure of emancipation. The whole process of the proposed plan, and the whole principle and object of the noble Lord, in the paper to which I have referred, are grounded on the absolute necessity that there is for enforcing upon the slaves this obligation—namely, that they must labor after they have received their emancipation. I contend that this is the essential feature of the proposed plan; but as this is not the proper period, I will not now go into the consideration of that plan. It is impossible to attend any public meeting in this country—it is impossible to go into society, or into any large assembly whatever—without hearing men of all classes and descriptions, possessing any knowledge and experience on this subject, who condemn the premature discussion of this question, or of the measures to be adopted upon it. This very morning I have attended a great public ceremony, at which I had a conversation with no fewer than six officers of the army who hold property of this description, and will materially suffer by the passing of such a measure; and two of them, indeed, will be totally ruined by it, thus confirming the statements contained in this petition: for the petitioners state that a great number of individuals will be totally ruined, should the proposed emancipation be carried into effect. I have nothing to do with West India property, and never had; but I cannot help thinking, if it be true, as is alleged, that the commerce of this country and the fortunes of individuals are to be destroyed by a premature discussion of the measure,—I say, my Lords, I cannot help thinking that His Majesty's Ministers have incurred a degree of moral and political responsibility such as was never before incurred by any public men. I trust, however, that the principle laid down by the Right Honorable gentleman who recently moved the resolutions in the other House of Parliament—a

principle by which he admitted the necessity of proceeding in concert with the colonial assemblies, and consulting the interests of the colonists—will not be lost sight of or abandoned.

Lord SUFFIELD was sure that, if the noble Duke had attended the Committee on this subject which sat in the previous Session, he would not be so opposed to abolition.

*THE DUKE OF WELLINGTON* said :

I wish to explain the reason of my non-attendance on the West India Committee. I met with a misfortune some years ago, and have not the advantage possessed by the noble Lord of hearing with both ears—in fact, I cannot hear very well at all ; and such being the case, I thought I could spend my time with more advantage than in going down to the Committee, and sitting there without hearing what passed. I was appointed on another Committee last year, which involved a subject in which I took great interest ; but for the reason already assigned I did not attend. I am glad to hear from the noble Lord that the real wish of the petitioners is not to do any injury to the West India interests. The noble Lord has fixed on the expression ‘ premature measure ’ used by me. I meant by that expression a measure adopted in a hurry, with a view to a special occasion and a particular purpose, and without due consideration. In proof of my remark, I may state that the measure does not provide for the case of the property of individuals which must be affected by it ; and I may refer to the great anxiety to prevent the public from knowing that men are completely ruined, and that the exports to these islands are or shortly will be destroyed. I do not deny that something must be done. I was a party to the well-known resolutions which asserted that principle years ago. I tell the noble Lord that I have done as much for the abolition of slavery and the slave-trade as any man. I have been engaged in more negotiations, and have written more official notes and papers on the subject of abolition, than any other man now alive. There was a noble friend of mine who did still more, but, with the exception of him, no man ever did more, or went further in the business, than I did, when in official situation.

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*June 3, 1833.*

RELATIONS WITH PORTUGAL.

*THE DUKE OF WELLINGTON* said :

My Lords, I have to apologize to your Lordships for venturing to call your attention at the present moment to a subject connected with the foreign relations of the country. I am well aware how little interesting all observations relative to foreign affairs are at the present time, when all men's minds are occupied with questions of paramount importance relating to the internal concerns of the country, and its commercial and colonial interests. But I am also aware, that if there is any nation for which more than another this country feels, and justly feels, deep interest, it is Portugal; and particularly with respect to the question which I am about to submit to your Lordships' consideration, and which, in my opinion, involves materially the interests and honor of this country. The alliance between this country and Portugal is the most ancient to be found in the history of nations; it is an alliance repeatedly recognised by all Europe—it is one from which this country has derived advantage from a period almost beyond memory, and for the preservation of which this country, in better times, expended her best blood and treasure. I have, on more than one occasion, since the formation of His Majesty's present Administration, ventured, in my place in Parliament, to suggest to noble Lords opposite the necessity of taking measures to prevent the existence of a civil contest in Portugal and the Peninsula between men of extreme political opinions. This advice I have frequently urged upon the Ministers; but I am sorry to say, that, from the commencement of the formation of their Government—at any rate from the period when they felt themselves secure in office—they have proceeded in a course most injurious to the government of Portugal; and I will endeavor to prove, before I sit down, that they have done everything in their power to promote that contest between extreme opinions which now unfortunately exists in Portugal. I will prove to your Lordships, that, if the present state of things be allowed to exist, it is absolutely impossible for civil war not to extend from Portugal to Spain, and that, sooner or later, this country must take part in it, if she wish to prevent both those countries falling into the hands of their powerful neighbour.

On former occasions I gave the Government full credit for not having been the cause of the invasion of Portugal by the French in the spring of 1831, which led to those unfortunate circumstances in which the country is now placed ; but I then relied on what I had heard stated in this House and elsewhere, and I had not then had an opportunity of seeing the official papers connected with the subject. I have, however, since seen them, and I am now positively convinced that the measures adopted by His Majesty's Government in April, 1831, aided and assisted the design previously entertained by the French Government of invading Portugal. It appears by the documents now before your Lordships, that on the 2nd of April His Majesty's Consul at Lisbon reported to the Secretary of State for Foreign Affairs that a French squadron, consisting of the *Melpomene*, of 60 guns, and other ships, had sailed from France and arrived at Lisbon, for the purpose of making certain demands on the Portuguese Government. That report was received in London on the 12th of April. Now, one would suppose that His Majesty's Ministers would have been impressed with the necessity of protecting Portugal against this attack of the French Government ; that they would have done that which they are bound to do by treaty—endeavored by their interference to prevail on the French Government to act with reason and moderation in the enforcement of its claims ; and would have enforced on the Portuguese Government the necessity of giving satisfaction with regard to the claims justly made by France. This they would have done if they had attended to the stipulations of treaties ; for by them the Government of this country is bound to treat Portugal as a part of Great Britain itself. They are bound to interfere in favor of Portugal on every occasion as much as if that country was a part of Great Britain. Under these circumstances, there can be no doubt that, on the receipt of this intelligence from the British Consul, the Government ought immediately to have interfered ; and more particularly as it appears that, with respect to one of the points on which France demands satisfaction, the Portuguese Government was in the right. I will not enter into the details of the case of Bonhomme, but the noble Earl opposite cannot deny that the Portuguese Government was right with respect to that case. The report from the British Consul arrived on the 12th of April, and the Government, instead of taking measures to put an end to the state of hostilities, imme-

diatey ordered a squadron of frigates to sail to Lisbon, to enforce similar demands on our part against the Government of Portugal. Was this a time at which such demands ought to have been made, and in such a manner? In my opinion, this was the very moment which of all others should not have been seized upon to make any claim against the Portuguese Government. However, His Majesty's Ministers persisted in sending out this squadron; and as soon as a similar preparation could be made in France, another squadron of French ships was fitted out to make a demand on Portugal on account of the claims of the King of France. The Portuguese, in the first instance, refused to listen to any proposition proceeding from the French Admiral, saying, truly enough, that he had no commission to treat with them; they asked for the interference of this Government, but all mediation was refused; and the consequence of this non-interference on our part—the strangest non-interference I ever heard of—was the seizure of the whole fleet of Portugal, the only fleet which that country had to defend itself against its enemies. But the principle of non-interference cannot fairly be acted upon by the Government of this country towards Portugal. We are, in point of fact, bound to interfere in favor of Portugal by one of those treaties which Ministers are daily in the habit of enforcing against that country, and the infraction of which, on the part of Portugal, was the pretence for our sending out a fleet on the 15th of April. When the French arrived, they met with no resistance. In one letter the British Consul said they did not fire, whilst other documents asserted they did fire. They did not immediately take possession of the Portuguese fleet. Indeed, before the ships were taken possession of, the French Admiral signed a treaty of peace with the Portuguese Government, in which he stated that 'France, always generous, makes no fresh demands.' The Portuguese fleet was not at that time included in his claims; though it has since been discovered by some law officers of the Crown in this country, that, because there had been a war (where it had existed I am at a loss to imagine), and a subsequent treaty, the surrender of the Portuguese fleet was a matter of course, in consequence of ulterior demands made by France, and acceded to by Portugal because she had no means of resistance. But why had she no means of resistance?—because His Majesty's Government had in a manner tied her hands. This, then, is what His Majesty's Ministers call

‘aiding an ally.’ This is what they call executing the treaties by which they are bound, they having themselves exacted from Portugal the performance of every article at the point of the bayonet, and having actually sent ships to enforce it by blockading the Tagus. There is a very curious circumstance attending the capture of the Portuguese fleet, to which I beg to call your Lordships’ attention, as tending to explain the whole nature of these transactions. During the period of this expedition, Don Pedro, the brother of Don Miguel (whom I cannot call the King of Portugal, because he is not recognised by this country, though he is unquestionably king *de facto*), was in Paris. The day after the arrival of the French squadron in Portugal a steam-vessel arrived with despatches to the French Admiral; and it was not until after the reception of these despatches that any claim was made on the Portuguese fleet. Was there, then, no connexion between the arrival of that steamboat and the claim afterwards set up for the surrender of the fleet? After the arrival of Don Pedro in Europe a course of transactions commenced quite opposed to the law of nations, and contrary to the usual practice of Europe; I allude to the equipment in European ports of vessels destined for the Azores, to be employed against the *de facto* Sovereign of Portugal. I do not deny that these proceedings took place while I was in office; but I used every effort to prevent the British ports and arsenals being made the means of fitting out an armament against a country to which England is bound by so many treaties. In a short time afterwards, however, increased activity was shown by the agents of Don Pedro; loans of money were attempted to be raised, and a very large body of men was assembled at the island of Terceira. A squadron was also collected there, and it was commanded by officers who had been in His Majesty’s service. I must do the Government the justice to say, that they did remove from His Majesty’s service the officer who at that time undertook the command of the naval force of Don Pedro; but I was very much surprised to hear the noble Earl opposite, in reply to a question put by me the other night—whether a certain officer who had proceeded to Portugal to assume the command of the forces at Oporto had been removed from His Majesty’s service—say, that all he knew of the circumstance was ‘from what he had seen in the public newspapers. It is certainly true that in 1831 His Majesty’s Government did dismiss from

the service the gentleman who assumed the command of the naval forces of Don Pedro ; but how did they act in the months of November and December of the same year ? At that period considerable levies of troops were made, which were embarked in ships on the river, among which were the *Asia*, the *Congress*, the *Fairy*, and the *Juno*. Information was given to Government of the existence of this armament, and of the intention of fitting out other armaments in His Majesty's ports ; but His Majesty's Ministers refused to take any notice of the information. The gentleman who acted in this country for the Portuguese Government then went and gave information to the Commissioners of Customs, they being the persons specially charged by the Act of Parliament passed for the prevention of enlistments for foreign service with its execution. After taking the opinion of their law officers they gave orders that the vessels should be detained ; and if the matter had stopped there, nothing could have been more satisfactory ; but instructions afterwards came from a superior authority—whether from the Treasury or the Foreign Office I cannot say—directing the vessels to be released. Those vessels were accordingly released, and sailed to Terceira, carrying with them the very men who afterwards landed in Portugal. Is this the performance of treaties—is this neutrality on the part of the British Government ? The noble Earl will perhaps tell the House that the law officers of the Crown advised the release of those vessels, detained by the Commissioners of Customs. If the noble Earl makes such a statement, he will be bound to produce the affidavits which induced the law officers to come to that conclusion. I do not ask for the case laid before the law officers, or their opinion on it, but I should wish to see the other affidavits which were submitted to the Commissioners of Customs, and by them transmitted to the Treasury, in order to decide whether the authorities did what their duty required, and especially whether their duty was done by Ministers, who ought never to sanction anything which can have the effect of bringing the two countries into hostile collision. Now, I will barely state the facts ; and what are they ? Why, that instead of measures being taken to stop those vessels, they were allowed to sail ; and what were the consequences ? That the transmission of men from this country to Portugal, the conveying of them from France here, in order to be sent to Portugal, and the sending of arms, ammunition, and everything necessary to maintain the war, has



continued from that hour to this. Of that noble Lords opposite say they have no knowledge ; but it is as perfectly well known to every noble Lord, and to every man in the country, except His Majesty's Ministers, as any fact of daily occurrence. Indeed, these proceedings formed the subject of inquiry before Courts of Justice and before police magistrates—nay, if I am well informed, the head of the Government of Portugal sent back one hundred Englishmen, who had been taken prisoners in Portugal, and had been forwarded home by the assistance of the British Consul. Do His Majesty's Ministers know anything of that? It is, then, their bounden duty, if they really have the intention of rendering justice to Portugal, to prevent the recurrence of such transactions. I know that His Majesty's Ministers will say that they were strictly neutral ; that if, on the one side, Don Pedro had raised as many men as he chose here, cavalry as well as infantry, and if he had fitted out ships and sent out stores and ammunition, so also might Don Miguel, and he had only to send here and take them out. But I would beg to remind the noble Lords, in the first place, what is the law of the country, and, next, what is the law of nations? Upon this subject, Don Miguel, though not acknowledged by us as a rightful Sovereign, yet was not and could not be otherwise treated with by this Government than as a *King de facto*. We enforced on him the performance of the treaties we had concluded with Portugal. There can be no doubt that Don Miguel is in possession of great advantages as a *King de facto*, and moreover there is the Portuguese nation, which is also interested, and as little doubt that she ought not to be deprived of what is due to her. Then, what is the law of nations? I will read the opinion of one who is still alive, but it is the opinion of a man whose name is never mentioned without exciting in every bosom sentiments of reverence and admiration. This individual has lived to see his admirable decisions adopted by the civilized world as the rule of their conduct—need I say I mean Sir William Scott, now Lord Stowell? It is his opinion that I am about to read respecting the neutral nations, and the necessity there is on the part of every power to respect the rights of others. 'Strict neutrality' (says Sir William Scott) 'is a neutrality consisting of a complete abstinence, not only from interfering in warfare, but from giving any kind of assistance to one side or the other.' The Judge does not say that neutral may give assistance to both, but that he shall not give

any to either. The very meaning of the word is, to withhold succour from both parties, and that is the doctrine held by all the authorities on the subject. The Judge then refers to Vattel, who says, 'In order to view the subject properly, we must consider what a nation ought to do, if neutral, if there should occur a war between her ally and another state. While she continues thus neutral she should observe the most exact neutrality, and give no succour in arms or troops, or anything, for the purpose of carrying on war.' A neutral state should absolutely give assistance to neither party. Sir William Scott says, 'the practice of giving succour to either side by individual acts is unjust to one of the parties, by depriving him, while in a state of amity with us, of the preponderance of power which he would otherwise enjoy.' I will apply this to the case of Don Miguel, who has a preponderating power, and I will then ask is it right that we should give aid, or that our Government should give its sanction to the giving aid, against his preponderance, so as to deprive him of it? Sir William Scott adds—'No country can be released from the operation of her neutrality unless she gives notice that she will change her line of conduct. While nations remain in this situation they cannot in practice act contrary to it, and if they interfere they must do so by giving an open notice, or by a declaration of war. No solecism can be more mischievous than that the subjects of a country shall assume the right to act hostilely without the intervention of the state itself. It is the right of states, and they solely can assume a belligerent attitude. They have the right and the power to prevent their subjects from interfering.' There can be no doubt, then, this country has the right to prevent its subjects from interfering. I do not pretend to argue the question of law—that I will leave to others more competent—but this opinion is founded on common sense, which must be the rule of men's acts, and I will therefore ask whether it is right or just that Englishmen should be allowed to carry on a private war against a prince *de facto*, and, above all, against a country and a Government which we are bound by treaties to protect? What I have hitherto said, and what I have quoted from Sir William Scott, refers to the law of nations; but what is to be said when, on coming to the laws of the country, your Lordships see that they too require the Government to act on these principles? The Foreign Enlistment Act makes it incumbent on the officers of Government to restrain the

subject from interfering? The subordinate officers of the Government did perform their duty—they arrested the vessels when about to sail illegally, and they acted according to law. Then, however, Ministers came forward and said, ‘No, this is not a case for interference, and you shall not do your duty.’ The question, then, is, has there been a breach of the law of nations and of the law of the land? If both had been observed, and His Majesty’s Ministers had done their duty, all this mischief would have been prevented, and a country to which we are bound by an ancient alliance would not have been the seat of war for nearly twelve months, and would not have been exposed to the disasters of foreign invasion. All the evil of which I complain is the consequence of this neglect of duty. But that is not the only ground I have for censuring Ministers. I have lately seen in the newspapers the publication of a correspondence between His Majesty’s Government and the Spanish ambassador at this court respecting the conduct to be expected from Spain in this contest, and it appears that His Majesty’s Ministers very properly insisted that Spain should remain neutral in the contest between the princes of the House of Braganza, making an engagement at the same time that this Government should also remain neutral. I will ask, then, is neutrality the line of conduct which has been adopted by this Government? Is it true that this country has been neutral during this war? Is it not, on the contrary, the fact that the war was carried on in Portugal by means derived from this country—by men, ships, arms, and ammunition obtained from His Majesty’s subjects? If so, I should wish to know whether the Ministers have not broken faith with Portugal, and if they have not broken faith with Spain? Have we, in fact, been neutral? I am sure that there is no one who hears me can doubt that the engagement with Spain has been broken, after what occurred in November and December, 1831. In fact, the sending of reinforcements has continued up to this very moment. It has never ceased, and, except the impediments of the weather, and the hostilities at the mouth of the Douro, the reinforcements have received no obstruction. There never was a detachment of the British army sent from this country which has received more constant aid in every way from England. Lastly comes the fact of a few days’ old, that of an officer, a distinguished officer of His Majesty’s navy, going with steamboats and transports, which officer was to invade Portugal

by the Tagus, and to capture Lisbon. I had heard of this, and for the honor of the country I asked the noble Earl (Earl Grey) whether he knew of it, and his answer was, that he had only read it in the newspapers. Of this expedition a great part was collected at Spithead. The officer to whom I have alluded was there, and the vessels were anchored amidst the ships of His Majesty, yet it appears that His Majesty's Government had no communication of this from those authorities, who were in constant and daily communication with the Ministers. It appears, also, and this fact is extraordinary, that there has been a mutiny on board one of the vessels of this expedition, because some of those who were called volunteers felt rather inclined not to go, and they did, as sailors often do, lower a boat with the intention of running away. They made a mistake, however, in not cutting the painter. It was not cut altogether, and five or six of these unfortunate people were drowned, and to save them the vessel never hove to. I do not know whether there ought not to be a Coroner's inquest and judicial inquiries into this matter. I am sure that measures ought to be taken to prevent practices which have given rise to frequent discussion, between poor persons enlisted and those who are in the habit of kidnapping men and afterwards ill-treating instead of paying them. What is most strange, however, is, that all this should happen at Spithead, and that no one of His Majesty's Ministers should know a word about the matter! The only way in which I can account for it is this, that the officers of His Majesty's army and navy do not choose to stigmatise transactions which they might suppose agreeable to His Majesty's Government. They know that when, in November and December, 1831, armed vessels proceeding to Portugal were arrested by the officers of the Customs, an order was sent by His Majesty's Government to let them go. It is very natural, therefore, that those who desire to remain on good terms with His Majesty's Government should not report or busy themselves about interrupting an expedition which they must believe it is the wish of His Majesty's Government should proceed. On that ground it is that I account for the fact that His Majesty's Government has received no information on the subject. But this is not all; a very considerable body of men, including Poles and Frenchmen, were lately assembled at Falmouth, commanded by French officers, and intended to invade Portugal. In my opinion, however, it would have done

much more honor to His Majesty's Government, if they desired that Portugal should be invaded by foreign troops, had they come down to Parliament and stated openly that such was their wish and intention. That would have been a manly course of proceeding. But the course which they have adopted is a course unknown to the law and practice of nations. I beg to make a few further observations on the evils which may result from all this. I will suppose for a moment, that by dint of foreign assistance the Government of Portugal may be changed. I would then ask, whether your Lordships think it would be right or proper that such a superiority should be acquired by military adventurers assembled by means such as these have been?—whether you think it would be right or proper that such persons should be allowed to go and establish what government they please in Portugal, or in any other country toward which we profess neutrality? In my opinion, that is not a proceeding which ought to be supported, or which can at all redound to our national honor. If this system should succeed in establishing another government in Portugal, what must be the results? A civil war in Portugal will be the smallest evil. For I defy any one who knows the state of the Peninsula to avoid entertaining the most decided opinion, that a civil war in Portugal must be followed by a civil war in Spain. Setting aside the breach of our written engagement with Spain, which country would be justified in relying on our not allowing the invasion of Portugal, if by our conduct we produced civil war in Portugal, that civil war would most assuredly extend itself into Spain. The interest of this country and the honor of His Majesty's name cannot be safe under such circumstances. His Majesty has from the Throne declared that he will observe neutrality; His Majesty's Ministers have declared that neutrality is the policy of the country. If all this be so, in the name of God, let His Majesty recall every one of his subjects who has engaged on either side of the contest. Then, indeed, will neutrality be established, and then, indeed, will that good feeling be secured between the countries which it is so desirable to maintain. I will conclude by moving, 'That an humble address be presented to His Majesty, to entreat him that he will be graciously pleased to give such directions as are necessary to enforce the observance by his subjects of His Majesty's declared neutrality in the contest now going on in Portugal.'

Lord GREY opposed the motion.

After some discussion,

*THE DUKE OF WELLINGTON* replied :

The noble Earl has stated that Don Miguel's usurpation could not have been effected but for the presence of the English troops. Now, the fact is, that the troops were previously withdrawn. They were delayed some time by a Right Hon. Gentleman, then Ambassador in Lisbon, much to the dissatisfaction of the Government, but the usurpation did not commence till a considerable time after the troops were withdrawn. I consider the course of policy which the noble Earl ought to have adopted was, to discourage the contest of these two Princes in Portugal, which could only lead to a contest between extreme opinions throughout the Peninsula ; and, certainly, the noble Earl ought not to have suffered the contest to have proceeded to the present extremity. I do not mean to contend that Don Pedro should have been prevented from invading Portugal in any case, or, if he had done so, by other means than what I call revolutionary means—by armies levied in the streets of London and Paris. If he could have invaded it from Brazil, or from any other country in which he had a footing, or even if he had conducted the invasion by inhabitants of Portugal, then certainly I should not wish for interference. I said further, that, when France invaded Portugal with a fleet, whether the demands she put forward were legal or illegal, this country ought, in the first instance, to have endeavored to prevent a collision. With respect to the opinion of Sir W. Scott, to which I referred, that is, I maintain, good law. The question of neutrality, I contend, is this : is it right, when His Majesty has declared his neutrality, that his subjects should not be enforced to adopt the same by His Majesty's Government ? This is declared by the highest authorities to be the common law of the country. Nor is this all, for there are further means of preventing interference provided by the Foreign Enlistment Bill. But how have the Administration enforced this law ? Not at all ; and not only have they not enforced that law, but they have taken measures to prevent its being enforced. The Government actually interfered with the officers of the Customs, and forced them to give up the vessels which they, in execution of their duty, had seized. The noble Earl has referred to the case of a ship which was seized during my administration ; but there is a great difference between these two cases, for, in that instance, the English Government did

all they possibly could do to satisfy Spain of their perfect neutrality; whilst, in the present instance, the conduct of the Government has a precisely opposite tendency. The noble Earl says Spain has no right to complain. Now, I must differ from the noble Earl. The neutrality of Spain was exacted by this country upon the condition of our observing neutrality, and the compact has been broken. How stands the fact with regard to the manner in which Spain fulfilled her engagements? Not one Spanish soldier passed the frontier to the assistance of Don Miguel, while from this country from 10,000 to 12,000 men have from first to last been sent to swell the ranks of Don Pedro, and greatly to endanger the tranquillity of Spain herself. I think it impossible to say, under the circumstances, that Spain has not a just ground of complaint. I consider that I have distinctly proved my case. The noble Earl says, the motion is equivalent to a vote of censure; I am sorry the noble Earl regards it in that light. It is no further a censure than this, that it declares the policy which the noble Earl has pursued in regard to Portugal to be wrong in your Lordships' opinion. If I thought the noble Earl had deserved censure, I should have been ready to declare that, and to ask your Lordships to agree with me in a direct manner. If the noble Earl considers my motion as one of censure, I am sorry for it. The whole tenor of my argument and of the proposed Address is most respectful to the noble Earl—there is not an uncivil word in it. I should not have had the slightest hesitation in moving a vote of censure, instead of an Address to the Crown, if I had thought the present case one which called for such a course of proceeding.

Motion carried by a majority of 79 to 69.

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June 4, 1833.

## SLAVERY.

*THE DUKE OF WELLINGTON*, in presenting a petition on this subject, said :

This is signed by 1960 persons, among whom are some of the first bankers in the city of London. The object which they have in view in bringing the petition before your Lordships is to draw your attention not only to the loss which they are about to sustain as individuals, but to the loss which would be sustained by the

great commerce of the country in general. What I mean to say is not to induce your Lordships not to pass the measure which has been brought forward by His Majesty's Ministers, but rather to induce you to proceed slowly, to proceed with deliberation, and, above all, to proceed in concert with the Colonial Legislatures, in whatever measures may be adopted for the abolition of slavery. The petitioners state the amount of the loss which they themselves would sustain by the proposed measure, as well as that which would be sustained by the public (by the public I mean the public treasury), by the effects of it on the great commerce of the country. I consider that the colonies are worth to the country not less than 12,000,000*l.* per annum, of which the public receive in taxes not less than 5,000,000*l.*; the proprietors little more than 2,000,000*l.* The remaining 5,000,000*l.* are distributed between the manufacturers and shipping interest of the country. There are 240,000 tons of British shipping employed in this trade alone. Under such circumstances it is the duty of your Lordships, as well as that of the Government, to proceed with caution, and to secure to the public those advantages under the new system which it now enjoys, that supremacy in commerce which I hope no Government in England will ever take any step to lose. In all other cases where the emancipation of slaves has been effected, it has been so effected in combination with some amelioration in the state of the country where it took place. In that manner the emancipation of the great body of the slaves in the United States has taken place. They were emancipated because it was discovered that it was cheaper to employ free labourers. In the present case it is not so. You are now called upon to force upon the colonies a measure of emancipation, and to force it at the expense of the public, and at the expense of all the injury which it is likely to do to the West-India proprietors. It has been found in the United States that the two races of men cannot live amicably together. From the first occupation of the West-India colonies down to the present time the question of slavery has always been a question of difficulty and danger. Over and over again it has been the cause of insurrection. It has caused more difficulties and more evils than any other question whatever. At this moment it is not more certain than it was two centuries ago, that the black man can be brought to labor without that species of compulsion which is practicable only when he is in a state of slavery. It is still quite uncertain



whether he can be brought to work for hire if liberated, which, after all, is the real question ; and, therefore, it is necessary to be extremely cautious in our proceedings. It is impossible to carry the proposed measure into effect without the concurrence of the local Legislatures. It is impossible to carry it into effect without incurring considerable expense ; and all these circumstances render it necessary to proceed slowly, and to take time for deliberation. I would earnestly entreat your Lordships never to lose sight of these considerations. There is another view of the question to which I must direct the attention of the House, arising from the state of society which exists in these islands. A large body of the proprietors live in the West Indies, in the midst of their slaves. Those persons are looking with the greatest anxiety at all the proceedings of the Legislature on this subject ; and I entreat your Lordships to carry those proprietors with you in whatever measure you may deem it advisable to pass, not only for the sake of the parties themselves, but for the sake of humanity—for the sake of those unfortunate persons for whose benefit you are about to legislate. If you should neglect these precautions—if you should leave out of the question the Legislatures of the respective colonies and the feelings of the proprietors—if you should proceed with too great haste and with too little deliberation—and if you should neglect to provide the requisite compensation for the losses of the proprietors, I dread that scenes will occur which I should be sorry to see, similar to those which took place in some of the French colonies. I sincerely hope that such scenes will not happen.

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*June 21, 1833.*

#### COLLECTION OF TITHES, IRELAND.

The Earl of Wicklow moved for a return of all sums collected by Government under the Act, of last Session, to facilitate the payment and recovery of Tithes in Ireland.

Viscount MELBOURNE, in the course of his reply, referred to the further measure which the Government had in contemplation on the subject.

*THE DUKE OF WELLINGTON* said :

My Lords, if the noble Viscount who has just sat down had entered into any satisfactory explanation of the measures which it is the intention of Government to adopt on this important question,

I should not have felt it necessary to offer a word in reply to what has fallen from him ; but in the whole of what the noble Lord has said I find no explanation at all. I find that the tithe due to one body of men is to be compensated by a tax on another. That, no doubt, seems a simple proposition ; but what my noble friend (the Earl of Wicklow) complains of is, that no explanation is given of how this is to be done. The noble Viscount got up to answer my noble friend, but I will defy any of your Lordships to understand more from the noble Viscount's speech than the statement that the case is as my noble friend has stated it. It is said that tenants-at-will and some others who hold lands by particular tenures are liable to pay the tithe to the landlord, and that he collects it, and not the clergy. It is forgotten, however, that by the Act of the last Session the clergy cannot collect the tithe. If the Government intends to repeal that Act, the clergyman may proceed to collect his tithe, if he can, after all that has taken place on the subject. The noble Viscount has not given any explanation on this subject, because, in fact, he does not know what the Bill states, or what is intended to be done with respect to it. The Resolution which has been submitted to the other House is, as it now stands, that a land-tax shall be levied for the payment of tithe ; but who is to pay it ? Who, I ask, is to pay it ? Is it the landlord ? I will beg of noble Lords to consider what would be the effect of asking the landlord in this country to pay the tithes on his land for three years. It is calculated that the average of the tithes in Ireland does not amount to more than 2*s.* the acre. I would ask—and I am aware that some of the noble Lords opposite possess an immense extent of land in Ireland—what landlord of that country is now ready to pay the tithes of three years—to pay to the amount of 6*s.* or 7*s.* per acre on his land ? But suppose the landlord consents to this, I want to know by what authority the landlord is to collect this money back and repay himself ? Is it in the shape of rent, or is it a separate charge, and to be collected with the same legal authority which the clergyman has for his tithe ? These are points which the noble Viscount has left untouched, but which, if he had explained them, might give your Lordships some notion of the nature of the measures intended by the Government. Your Lordships, in looking to that part of the Resolution which places the tithe as a tax on the land, cannot omit from your consideration the fact of the different tenures by

which lands are held in Ireland. There are holders of lands for lives, and for leases of years, and for other different terms ; but as to how these parties are to be affected by this measure the noble Viscount has not said one word, so as to remove the doubt and anxiety which must exist as to the situation of every kind of property in that part of the United Kingdom. The noble Viscount has stated to your Lordships the great difficulties which have attended the discussion of this subject of Irish tithes. I am quite aware of those difficulties, and, had I any doubt on the subject, I need only refer to the large volume which was laid before the House last year, to show that those difficulties have grown to their present extent in consequence of the neglect of His Majesty's Ministers in the first year of their accession to office. The opposition to tithes in Ireland at that period was trifling ; but, such as it was, if the Lord-Lieutenant of Ireland, instead of pardoning those who had been convicted of presiding at anti-tithe meetings, and of moving Resolutions inculcating passive resistance to tithes, so that none should be paid unless by the compulsion of legal process—if, I repeat, instead of allowing such parties to escape with impunity—if, instead of promoting the great agitator in his profession—the Government had inflicted upon him the punishment due to the offence of which he had been convicted—if others also guilty (and it is well known who they are) had not been allowed to escape with impunity, the Government would not have seen that general opposition to the tithes of which they now complain, nor would they be placed in those difficulties in which they now find themselves. Let them look to what has been stated by the Archbishop of Dublin, a prelate who is friendly to the present Administration, and of whom the Government has a very high opinion. That most reverend Prelate attributes a great share of the resistance to tithes to the opposition of a Catholic clergyman of high influence and great importance with those of his own persuasion ; who, in one of his letters on the subject, objected to tithes as a provision for the Protestant clergy. All these things the Government passed over, and yet they now come to Parliament and say, 'Oh, the state of the country is such—the opposition to tithes is so general, and has always been so general in Ireland, that we must be excused for not having taken measures to put that opposition down.' It cannot be denied that the great opposition to tithes began in November, 1830—after the accession of the present

Administration to office. In March, 1831, I took occasion to remind the noble Earl opposite, that the Proclamation Act would expire at the close of the then Session of Parliament. The noble Earl stated that he was aware of the fact, and that it was his intention to renew the Act before the end of the Session. The Government, however, thought proper to dissolve the Parliament in April, and there was then no time to renew the Act. The Parliament met again in June, but not a word was said about the renewal of the Proclamation Act—not a word said about tithes, or the opposition to their collection which is still going on in Ireland. We were, it is true, told of disturbances which had occurred in Roscommon and in some other places, but the same silence was still observed as to the cause. In the month of November, when Ministers must have agreed as to the words which were to be put into the mouth of the Sovereign, the affair of Captain Graham was known in London, but still no notice was taken on the subject until the unfortunate words which were inserted in the Speech from the Throne in December, when His Majesty was made to recommend the consideration of the question of the state of the Church in Ireland. If, during the whole of this time the Government, instead of remaining passive, had acted with firmness in putting down the opposition to tithes which was going on in Ireland, they would not now be placed in a situation which obliges them to call on the country to give compensation to those whose property is, I may say, destroyed, by the levy of a tax on the property of another class of His Majesty's subjects. It is stated by the noble Viscount, that various classes of persons have joined in this conspiracy or combination to resist the payment of tithes, and, amongst others, he charges some of the Protestant gentry of Ireland as being in the number of the parties so combined. I am but little acquainted with those secrets, and in the Report of the Committee I see little to bear out the charge ; but I must say that, if such men are found engaged in such transactions, they now see the consequences of their own acts. They see that, if they deprive the clergy of their property, they themselves will be taxed to make it good. Your Lordships will, in a few days, be called upon to consider a proposition for giving compensation to a large class of individuals who are to be deprived of their property ; and I would beg of your Lordships to consider, and to impress the same thing on your neighbours, that, if you deprive others of their property,

you will, as an almost necessary consequence, lose your own. But I am sure that the noble Viscount is mistaken in the ground of his charge against some portions of the Protestant gentry. I am sure that they have too much attachment to the Church and to the security of their own property to join in any measure to deprive the clergy of theirs. I will not take up the time of your Lordships further on this subject, but I will in conclusion express a hope that the noble Lords opposite will give the House some explanation on this subject.

Motion agreed to.

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*June 25, 1833.*

### ABOLITION OF SLAVERY.

The Earl of RIFON having stated the Ministerial plan for the abolition of slavery in our colonies,

*THE DUKE OF WELLINGTON* thus addressed their Lordships :

I can assure your Lordships that I feel equally with the noble Earl the utmost anxiety in rising to address your Lordships on this most arduous and important subject. It is impossible for any one to approach such a question with indifference. Who can regard the change from a state of slavery to a state of freedom, of a population of no less than 800,000 persons, otherwise than with feelings of anxiety? I have followed the noble Earl through the different parts of his address with the utmost attention, and I fully concur with the noble Earl in his statement, that the first blow which was given to the system of slavery was struck when the vote of Parliament passed for the abolition of the slave-trade ; but it does not follow, because the first blow was then given to it in 1808, and that other measures have been adopted on the subject at different periods from that time to this, that it is, therefore, necessary now, in the year 1833, that the Parliament should come to the resolutions which have been proposed to your Lordships by the noble Earl. It is not that I intend to endeavor to prevail upon your Lordships not to pass these resolutions that I now rise, but because I feel that I owe it to myself, and to those with whom I have acted in former Administrations, to show that the consequences deduced do not legitimately follow from the grounds laid down by the noble Earl. In the first place, I would

remind the noble Earl, that in the discussions on the abolition of the slave-trade it was more than once declared by the advocates of that measure, that they had no intention of following it up by an attempt at the abolition of slavery, but, on the contrary, those who contended most strenuously for the abolition of the slave-trade declared that it was not intended that it should be followed up by the abolition of slavery in the colonies, but that their intention was, by means of the abolition of the slave-trade, to ameliorate the condition of the slaves, and improve the state of society in the colonies. I will not believe, from all that I have heard and read, that even the most earnest advocates of the abolition of the slave-trade intended immediately to follow up the amelioration of the condition of the slave by the total abolition of slavery. That men should look forward to the abolition of slavery in the colonies as consequent on the improvement in the state of society and the state of slavery, is probable; and there is no doubt that a great improvement has resulted from the abolition of the slave-trade, coupled with other measures; but that the one step should be considered as an immediate consequence of the other I altogether deny, and I appeal with confidence to the discussions which formerly took place. Neither does this question, which your Lordships are called upon to discuss on the present occasion, depend, as the noble Earl seems to suppose, on what passed in 1814 and 1823.

In 1814, my noble friend, who was then at the head of the Foreign Department, did everything in his power, by means of negotiation, to induce foreign powers to concur in the abolition of the slave-trade, in concurrence with his Majesty's Government; but the principle upon which my noble friend proceeded did not, as the noble Earl imagines, go to the abolition of slavery, and never was stated to have such a tendency. It is true, as regards the foreign colonies, the improvement in the situation of the slave, and the general condition of society, was likely to lead to the ultimate abolition of slavery; but this was never stated as a reason for abolishing the slave-trade.

I now come to the year 1823, when the right honorable gentleman, who then conducted the affairs of his Majesty's Government in the House of Commons, proposed certain resolutions, which had undoubtedly for their object the ultimate abolition of slavery in the colonies. Now, I contend that this was the very first occasion

on which an abolition of slavery was mentioned, from authority, in either House of Parliament. What was the effect of these resolutions? What did they propose? The noble Earl certainly alluded to these resolutions, but he neither read them, nor described their nature. Those resolutions stated, that the emancipation of the slaves was to be brought about at a distant period, which was not to occur till they had become civilised, and means had to be taken to enable them to become educated to a certain extent; and when, by a long process, the state of society had become such that it would be for the common interest of both proprietor and slave that emancipation should take place. Such was the nature of the proceedings proposed in these resolutions; and, towards the accomplishment of this object, Parliament from time to time have adopted various resolutions at the suggestion of various Colonial Secretaries, and these were drawn up in the form of Orders in Council, and were issued and sent out in the form of instructions to the various Governors of the Colonies. All these tended, in the first place, to ameliorate the condition of the slave—to educate him in some degree, and to render him fit for that situation in which it was the intention and object of the resolutions of 1823 that he should ultimately be placed. In 1824 these resolutions were finally passed by the House of Commons; and measures, having those objects in view, were taken by the Government and the colonial legislatures, to which the noble Earl has very properly done justice on this occasion. I also must do the colonial legislatures justice, and say of them that, although they did not do all that was required of them by Government, they did so much, that there was no Colonial Secretary between 1823 and 1830 who did not express his approbation of the conduct of each of those legislatures. Therefore, it is not consistent with the facts of the case to say that the colonial legislatures have done nothing to improve the condition of the negroes, and to accomplish the ultimate object of the legislature. After these circumstances, came the year 1830, in which an Order in Council was issued for the purpose of regulating these matters in the colonies governed by his Majesty in Council; and I will here observe, that the intention of the Government, manifested so early as 1823, was to keep these colonies in advance of the colonies governed by colonial assemblies, with a view to their affording examples which the others might be induced to follow.

By the Order in Council issued in 1830, certain very important measures were determined on. The Order went, in the first place, to the appointment of protectors of slaves ; secondly, Sunday markets were prohibited, and the governors of colonies were empowered to appoint a market-day ; there was a prohibition of Sunday labor ; the whip was not to be carried at work ; females were not to be punished by whipping ; a register of punishments was required to be kept ; slaves were declared competent to marry ; slaves might acquire property ; slaves, in certain cases, were not to be separated from their families ; fees on manumission were abolished ; slaves might effect their manumission by a compulsory process ; the evidence of slaves was to be admitted ; forfeiture of slaves was ordered in certain cases. This was the state of things in 1830.

It is true that the sentence of death which, about that time, was passed upon Mr. Smith, a missionary at Demerara, produced a considerable sensation in this country, and added to the feeling—the very strong feeling—which existed against the continuance of slavery. I do not deny that fact ; but what I contend for is this, that it is not a ground for such an important and sudden change as that which it is now proposed to make in the condition of the negro, and, relatively, in the condition of all interests and all property in the West India colonies. This change, according to the original plan, was proposed to be made gradually, and after the lapse of a period, during which the negroes themselves should be in the progress of improvement. Nothing should have diverted his Majesty's Government from this plan. There was no public excitement exhibited upon the subject in the year 1830 that was not brought about by the circumstances of the day ; and after witnessing, as I have, the power of the Government at any time to stay the progress of a mischief that results from popular excitement—a power which would induce me to support them if they would exercise it more frequently—I can see no reason whatever for their having taken up this measure as they did in 1830, unless it were from a desire to press it forward unnecessarily, and to thrust it upon the consideration of Parliament, in the premature and ill-digested shape in which it stands at this day. The fact is, that the slaves are not, in this year 1833, one whit more prepared to be brought into a state of immediate freedom than they were in 1830, when the Order in Council, to which I have alluded,



was issued. Instead of issuing another Order in Council, as was the case in the spring of 1831, the business of the Government, if a wise policy had been pursued, would have been to have enforced the observance of the previous Order in Council in the Crown colonies, to have compelled the colonists there to adopt measures of preparation ; and having succeeded in improving the condition of the slaves in those colonies over which they had an immediate control, then to have come forward with such measures as might be necessary—with ulterior measures—to compel the colonies which have Legislatures of their own to bring their slaves into an equal condition of improvement. These things effected, emancipation might safely and beneficially follow. But what have his Majesty's Government done? Why, in 1830, instead of taking the course which was chalked out to them by the Order in Council of February of that year, they sent out another Order in Council, which it was impossible to put into execution, either in the Crown colonies or the others. Not only were the Crown Colonies directed to obey the instructions conveyed under this Order, but the Legislatures of the other islands were desired to enact them into laws. What was the consequence? Why, that this Order in Council was found to be impracticable, and in consequence was withdrawn, not only from the Legislative colonies, but from the Crown colonies also. This step of the Government having thus failed, by what is it followed? By this measure ! It being found impracticable to carry into effect the Orders in Council of 1830 and 1831, instead of pressing for the execution of any preparatory measures, his Majesty's Ministers come down to Parliament and say, 'As we cannot carry these measures, we will try something stronger, and we will force the colonists to emancipate their slaves.'

Upon the question of emancipation several important points occur to my mind, upon which the noble Earl has said but very little ; and I must add, that that little appears to me to be rather inconsistent, not only with some of the noble Earl's own sentiments which have been previously published, but with the acts of the Government. The noble Earl tells us that there is no proof whatever that these emancipated slaves—these freemen—will not work for hire. Now I rather imagine that the want of proof is on the other side of the question. In all countries where it is proposed to make large bodies of slaves free, the first thing that is described

as necessary to be considered is, first, whether the country itself is in a condition to bear the change, and, second, whether the slave whom it is proposed to constitute a freeman will work for hire? These are points with respect to which it has always been considered necessary to have full and convincing proof before emancipation should be granted. The noble Earl tells us that, in this instance, there is no proof to the contrary. I think that there is proof to the contrary. We have heard of the adoption of a measure of this nature within the province of Colombia. But supposing it to be true that 100,000 liberated negroes have shown a disposition to labor, or have actually labored for hire in Colombia, still I contend that that circumstance affords no proof whatever that the same results would follow from the liberation of 700,000 or 800,000 negroes in the British possessions. But I by no means concur with the noble Earl as to the sufficiency of the case of Colombia as a case in point. I have the authority of a very intelligent person who was resident in Colombia at the time that the transaction took place, and who, in writing upon the subject, states positively that the experiment was a most dangerous one; and that, although the liberated negroes labored for a while, yet that a few years afterwards they could not be got to work at all. This is further proved by the fact, that in the course of four or five years it was found necessary to introduce a measure for the promotion of agriculture, which measure, it was admitted, was called for in consequence of the great difficulty that was found in getting the free negroes to work.

Having, however, upon a former occasion, troubled your Lordships upon this point, I do not choose to weary you with a repetition of my sentiments upon it now. I will only ask your Lordships to look at our own colonies in tropical climates, and see whether you can find any disposition in the free negro to work in the low grounds. If you look at Surinam, or any other of the tropical climates where free negroes are to be found, you will find a total absence of any disposition, on their part, to work for hire, or for any other consideration whatever. 'But,' says the noble Earl, 'the negroes work in Africa.' Of that fact, begging the noble Earl's pardon, I do not think he can produce any proof; but even supposing that he could, I contend that the fact does not bear upon this question. The question here is, not whether the negro in a state of freedom will work in Africa, but whether, being made

free, he will voluntarily labor in the low grounds in our possessions within the tropics? I say, that there is no proof of such labor, on the part of negroes, in any part of the world. In one quarter of the globe, of which I have some knowledge, I am certainly aware that men do labor very hard for hire in low grounds within the tropics; but those men are in a condition but little removed from absolute slavery, because they are the lowest in a state of society which, from them upwards, is divided into the strictest castes.

But in our West India possessions the case is very different. There this difficulty, from the moment of their first discovery to the present hour, has always existed; a difficulty arising from the circumstance, that in those tropical climates a man, instead of working for hire, works only for his food; and having obtained that food, which he can procure by very little exertion, he thinks of nothing save the luxury of reposing in listless idleness beneath the shade. That is the great difficulty which surrounds this question, and which, as it appears to me, the noble Earl has entirely passed by. Begging the noble Earl's pardon, too, I must say that he is inconsistent with himself in speaking of the willingness of free negroes to work for hire. In some of his former communications with the colonists upon this subject, the noble Earl fully admitted that, unless some very strong coercive measures were taken, it was not to be expected that these persons would be found willing to work for hire; and one of the means of coercion which the noble Earl proposed was to put a tax upon the import of provisions into the colonies, which should have the effect of making them excessively scarce and dear, in order to force the free negro to undergo a greater degree of labor, or, in other words, to do more work, to earn for himself the means of procuring the necessities of life.

Now, I want to know if these negroes are to be changed to apprentices, having a certain portion of time at their own disposal, and the option of working or not in that time, how they are to be forced to work when they have no longer the same inducement, or, rather, the same necessity, as that which would be imposed upon them by the noble Earl under his former plan. How, under this system of apprenticeship, with none of the inducements which now press them to labor, without the necessity of giving to a master the labor of their hands in return for the food and clothing with which he supplies them,—how can the noble Earl

expect that, under this plan, when the negro shall no longer be urged to work by the lash, as it is called, he will live in any other condition than one of idleness? Besides, I must say that I look upon the Government as no very good authority for the assertion that free negroes will be found willing to work for hire, for Ministers themselves seem to have no fixed opinion upon the subject. Not only did they put forward, and afterwards withdraw, because they found them to be impracticable, the Orders in Council of 1831, but within the short space of the last three months they have changed their plan several times, and in some of its most important features. First of all, the noble Earl came forward with a plan, the principle of which was, that these persons should be forced to labor by the dearness of provisions, that dearness being produced by taxation; and this plan was accompanied with a proposition for a loan of 15,000,000*l*. But I should like to know what this loan of 15,000,000*l*. is for, if it be true, as the noble Earl has asserted, that these liberated negroes will work. Why are we to give or to lend this sum to the colonists, if the negroes will work? I can easily understand the principle of compensation for the difference in the amount of labor done by the slave and the free negro; but then, what becomes of the boasted improvement of the negro, and of his willingness to work, when he is placed, in a greater degree, at his own disposal? If the improvement really be such as has been described, why give compensation? If no such improvement is yet to be found, then all these measures are premature! That plan, however, of coercing the negro to labor by placing heavy taxes upon provisions was given up; and then came this plan, consisting in part of immediate emancipation and apprenticeship, and, in part, of another proposition for a loan of 15,000,000*l*.

A NOBLE PEER: Of 20,000,000*l*.

*THE DUKE OF WELLINGTON:*

No, no; that was afterwards. The original proposition was, that the plan of emancipation should be accompanied with a loan of 15,000,000*l*.; but, in the course of a short time, this loan of 15,000,000*l*. was turned into a gift of 15,000,000*l*.; and in the course of about a fortnight afterwards, just after the Easter holidays, this gift of 15,000,000*l*. turned out to be a gift of 20,000,000*l*. Now, seeing the differences between

all these propositions—seeing that they all come from the same set of noblemen and gentlemen—seeing, too, that none of them proceed upon any fixed principle, and that the noble Earl has not, this night, explained the principle upon which this sum of 20,000,000*l.* is to be advanced to the West India proprietors,—seeing all these things, I must say that I look upon the whole transaction with less of confidence than I have ever viewed any measure that, within my experience, has been submitted to Parliament. I ask again, if it be true that the emancipated negroes will work—if it be true that there will be a regular return of that great and staple production of the colonies, sugar, into this country—for what reason are we to give any compensation?

The Right Honorable Gentleman who introduced this measure in another place stated that a part of the plan was, that the negro should be required to give only a certain portion of his time to his master, and that the remainder—I think about one-fourth—should be at his own disposal; and the Right Honorable Gentleman stated, further, that all negro children born after a certain period were to be free, and that all children of six years old should also be free. By-the-by, the Right Honorable Gentleman did not exactly clear up a difficulty—rather a homely one, no doubt—which occurs to my mind upon this part of the plan,—who is to take care of these free children, who is to support them? The child that is just born, and the child of six years old, have, hitherto, been taken care of by the proprietor; but, under the present plan, it does not distinctly appear who is to provide for them. At all events, the proprietor is to be deprived of that part of his property. Am I, then, to understand that the 20,000,000*l.* are to be given to remunerate him for that loss? Another part of the plan is, that the slave shall be allowed to have one-fourth of the day (the day being estimated at ten hours) at his own disposal; that is to say, that, out of ten hours in the day, he is to give the labor of seven hours and a half to his master, and to have two hours and a half to himself, which he may give to the master for hire, or to any other person, or dispose of in any way that he pleases. Am I to understand that the compensation is given for this? Then there is another loss to which proprietors may be liable:—the negro, in a state of apprenticeship, in the absence of the usual restraint, and without the stimulants hitherto applied to compel him to work, will probably exert himself but very little

during the seven hours and a half that he is laboring for his master. Is the compensation to be given for that? Then there is another circumstance. At the end of twelve years, whether the negro shall have worked or not during that period, he is to be set at liberty, and the owner is to lose his services altogether. Is the compensation to be given for that? All these are points connected with the transaction upon which the noble Earl has not touched, but upon which I think it important that your Lordships should have some information, in order to see upon what principle it is that the proposed compensation is to be given—upon what principle it is that Parliament is called upon to vote, and the public to pay, so large a sum as 20,000,000*l*. For my own part, I firmly believe that the West Indian proprietors will sustain a great loss upon this occasion—a much greater loss than many imagine; and I am decidedly of opinion that all who sustain a loss by a transaction of this kind ought to receive a compensation for it; but I must say, that I do not believe that this sum of 20,000,000*l*. will be a sufficient compensation, or anything like it, for the general loss that will be sustained. There are, at this moment, many persons in the colonies who will be great losers by the measure, but who, according to the mode in which we are told the 20,000,000*l*. are to be applied, will not be included among those to whom compensation will be given. There are many persons who have no land, and whose sole property consists in slaves. To these no compensation whatever will be afforded by the measure now under consideration. Yet upon this point the noble Earl has said nothing. There is also another part of the subject to which the noble Earl has not adverted at all, but which, nevertheless, is most material as it relates to the question of the labor of the negro, and that is as to the probable effect which the whole measure may have upon the commerce of this country. Supposing it to be true—I now put the case hypothetically—supposing it to be true that these slaves, under the new state of things, will not work, there can be no doubt whatever that an end must be put to all the commerce which has been carried on between the West Indian Islands and the mother country for so many years, with so much advantage, not only to commerce itself, but to navigation, to our navy, to our political influence, and, in short, to every circumstance which adds to the honor and glory of the country. I may, perhaps, be told that this difficulty may be

provided against in another way,—that, if sugar be not raised in the West Indies, it may be procured elsewhere, and that the same number of ships, and the same number of seamen, would be required to transport it to our shores from any foreign colony as from our own colonies. I admit that that may be the case ; but still I cannot help thinking that the advantage is much greater of bringing home the produce of our own colonies in our own ships. This, then, is a point to which I think it absolutely necessary that the Government should turn its attention.

But, besides the advantage of the commerce with those islands, we should lose the advantage of the great revenue which we derive from them. If such a result as that which I have supposed should follow from the adoption of this plan, are your Lordships prepared to risk the loss of such an amount of revenue? But here I must beg leave to advert to a few words which were dropped by the noble and learned Lord upon the Woolsack, upon the last occasion that I had the honor of addressing your Lordships. The noble and learned Lord said that I assumed a loss of revenue ; but my assumption was not based upon the ground which the noble and learned Lord supposed. I said (going on the assumption that the free negro would not work on the sugar plantations), that we should lose the greater part of the revenue which we now derive from the sugar produced in our colonies. It now pays a duty of 24*s.* per cwt., and produces, besides, an amount of about 28*s.* or 29*s.* per cwt. to the proprietor ; but supposing that the free negroes will not work, which is the hypothesis that I am now putting, and that there should only be half a production, or, what is more probable, no production at all, of sugar in our colonies, I want to know from the noble and learned Lord whether he will continue to get his 24*s.* per cwt. of duty upon the diminished produce of our own colonies, or whether he will get such a revenue from the sugar imported from other places as will annually put into the treasury of this country 5,000,000*l.* sterling? That is the mode in which I think that the loss to the revenue will occur. If sugar becomes scarce, or if its production should altogether cease in our colonies, a double duty cannot be levied upon it. Then, as a matter of course, the revenue must fail. That is my argument, and I shall be glad to hear how the noble and learned Lord can refute it. But there is another view of this part of the subject, which I think deserving of the serious attention

of your Lordships. Supposing that the growth of the sugar should, from the causes I have mentioned, fail in the West Indies, where are we to get sugar? We must get it, no doubt, from the colonies of other countries, where it is produced by the labor of slaves. What, then, will those who are so anxious for the abolition of slavery say, if, in consequence of this measure, the slave-trade should be revived, with all the added horrors of its being carried on in a contraband manner; and if, instead of decreasing the amount of slavery in the world, we should increase it in Cuba, and in the other foreign West India possessions, over which we have no control, and into which it would be impossible for us to introduce any measure regulating or ameliorating the condition of the slave? At this moment we consume more of sugar, even excluding Ireland, than all the rest of Europe put together; and I leave it to your Lordships to consider whether it would be possible, under any circumstances whatever, that this country could go on without a supply of that article. How can that supply be furnished (supposing that the production in our own colonies should fail), except by the produce of slave labor from the colonies of other countries?

Then there is another point, upon which the noble Earl has told us nothing this evening, but upon which he said a few words yesterday, in answer to a question from my noble friend behind me,—I mean as to the mode of proceeding in respect of these resolutions. Although I am one of those who think that the Government might have prevented, nay, that they ought to have prevented, this question from being brought forward in the shape in which it now stands, I still am ready to admit that it will be impossible for your Lordships to reject these resolutions, more particularly if they are to be sent out to the colonies to be made the groundwork of measures to be adopted by them, with a view to the accomplishment of the end which the Government have undertaken to achieve: I say that, if that is the course to be adopted, it will be impossible for your Lordships, considering what has already taken place upon the subject—considering the manner in which the Government have brought it forward—the unanimous manner in which the resolutions have been adopted by the other House of Parliament,—and considering, also, that the colonial body in this country have given their consent to the measure,—it would be impossible, and I certainly should be the



last man to recommend to your Lordships, not to give your assent to these resolutions. But there is an important difference between the mere assent to these resolutions and the adoption of the means by which they shall be carried into effect. I think that the mode best to be adopted would be this, namely, to send out these resolutions in the form of resolutions, with a recommendation to the Legislative Assemblies of the different islands to adopt such measures as should be necessary to carry them into execution. This, I think, would be the mode most likely to conciliate the colonies, and best calculated to induce them to lend their assistance towards the completion of the plan. This, too, is the mode which has been stated, over and over again, from the commencement of these discussions in 1823, up to the present day, to be the only safe mode in which the measure of emancipation ever can be effected. It appears, however, that this is not the mode which his Majesty's Ministers propose to adopt; but that a Bill, embodying these resolutions, is to be brought in, in order to provide the means of carrying them into effect in the colonies.

Before your Lordships adopt that course, I would beg of you to consider seriously what its probable results will be. I will suppose that the Bill adopts the principle of the first resolution, and declares that slavery shall be abolished within the colonies of Great Britain. That being the case, I want to know what becomes of the whole system of law established in those colonies for the maintenance and protection of society at the present moment, and which was originally founded, and has ever since been recognised, upon the admitted legality of slavery. The moment that a law is passed in this country declaring that slavery is abolished in the colonies, that moment the whole system of their law falls to the ground, and no provision whatever will be made for keeping society together. Under these circumstances I think it would be much better that Government should adopt the course which I understand they had in contemplation in the course of the last week, of sending these resolutions out to the colonies, in the shape of resolutions unanimously agreed to by both Houses of Parliament; and that the colonial legislatures should be desired, in a temperate and conciliatory tone, to carry them into operation by such means as, in their judgment, shall be safest and best. I can easily conceive that the Government may entertain suspicions of the sincerity of the colonial legislatures upon the subject, and

particularly of the legislature of Jamaica ; but I have documents now before me, which I think give satisfactory proof—proof which is accepted by those who best understand the subject in this country—that the colonies themselves clearly intend to carry measures of this kind into effect ; and that, if they have not done so, it is because up to this time no offers of compensation have been made to them for the losses which they must sustain. I understand that there are in this country certain gentlemen, lately sent over by the different colonies, for the purpose of giving information to the Government with respect to the wishes and intentions of the colonies upon the subject ; and the general instruction given to these gentlemen I believe to be this :—

‘ If by emancipation is meant the substitution of a system of free labor in the room of slavery, which shall insure to the planters the cultivation of their lands, the Committee are to require a compensation equivalent to the amount of labor which the planters may lose, and the risk which they may incur, from the change ;—the Committee are also to demand that the Government shall pay the expense of any police regulations which it may think necessary to adopt under the new circumstances which will arise in the colonies.’

Now the Government did express its intention to give compensation for the loss and risk incurred, and also to defray the expense of maintaining an adequate police in the colonies ; and these gentlemen in consequence produced their instructions, which authorised them to state that the colonies would consent to give their aid to carry such measures as the Government should adopt into execution. Another document has also been put into my hands, to which I beg leave for a moment to refer. It is a memorial from the West India body, in which it is stated that there has been no previous refusal, on the part of the colonial legislatures, because, hitherto, no proposal has been made to them for the abrogation of slavery, accompanied with the slightest security towards compensating them for the loss and risk by which that abrogation would be attended. So far from any objection being raised by the colonies, the memorialists state that the Assembly of Jamaica has declared its readiness to adopt measures of emancipation the moment that any fund is provided to compensate the proprietors for their loss and risk. The grant of 20,000,000*l.*, they continue, will perhaps induce the colonists, sincerely and in good faith, to advance the measure of emancipation upon the principles contained in the resolutions at this time submitted to the consideration of Parliament ; and to adopt measures of a more

effectual character towards the accomplishment of that end than any which could be adopted here, and which can only be carried into effect by the colonial legislatures themselves. The memorialists add, that they cannot contemplate without alarm the passing of a law which is to be at once binding upon all the colonies, rather than the sending out the resolutions, with a request that they may be carried into effect by the local legislatures; and they conclude by earnestly recommending the Government to adopt the latter course as the most effectual way of having their own proposition carried into full effect. In this recommendation I fully concur; for I feel convinced that, if Government adopt the plan of carrying these resolutions into operation by passing them into a law, they will increase the chances of failure against themselves, and, by degrading the colonial legislatures (which such a step must necessarily tend to do), will render it impossible for them to continue to govern the colonies with the authority which is necessary for that purpose. Besides, is it to be supposed that men, standing in the situation which the members of the colonial legislatures do, will quietly submit to have a law of this kind imposed upon them. It is impossible. It is not in the nature of man not to resist an attempt of this kind; and let me ask your Lordships what must be the inevitable consequence? A contest to enforce these measures—a contest between the Government and its troops on the one hand, and the white population, for whose protection it is our duty to provide, on the other. Is it likely that the black population will remain neuter in such a contest, or can it end in any other manner than in the total loss and destruction of the colonies themselves? The only mode of avoiding these misfortunes is to send the resolutions out in the form of resolutions, and to urge the colonists, by every means of persuasion and conciliation, to adopt such measures as may be necessary to carry them into effect. I would, therefore, earnestly recommend to the Government to send out to the different islands a commissioner, with full powers to arrange with the local authorities of each such measures as may be necessary for the settlement of the question. I state again, as I stated in the outset, that it is no trifling matter at once to translate a large body of men from the condition of slaves to the condition of free men.

There is another point upon which I wish to address a few observations to your Lordships, and that is, as to the propriety of

leaving out the words 'upon liberal and comprehensive principles.' I am desirous that, when the negroes shall be in a situation to choose their religious instructors, they shall have the power to do so; but your Lordships must not conceal from yourselves that society has reason to suspect, and, rightly or wrongly, does suspect, that certain missionaries have endeavored to stir up the slaves to rise against their masters. I will not enter into an examination of the grounds upon which those suspicions rest; they may be unfounded, or they may not be unfounded; but of this there is no doubt,—that those suspicions have been entertained, and that society in the West Indies has been greatly disturbed by them. If you mean to carry this measure into execution successfully, and without bloodshed, I tell you, my Lords, that you must conciliate the West Indian body; but you cannot conciliate that body if you send out to them this resolution, in the form in which it has come up to your Lordships from the other House of Parliament; for the resolution, as now worded, evidently contemplates the sending out a new band of missionaries to the West Indies. And can your Lordships suppose, with the existence of such a suspicion as that to which I have alluded, that the owners of property in those islands will willingly submit to such a measure? Desiring, as I do, the success of these measures, I entreat your Lordships to strike out from the last resolution the objectionable words to which I have called your Lordships' attention. They were not inserted in the resolution as it was originally proposed by his Majesty's Government, but they were adopted upon the recommendation of an Honorable Member in the other House of Parliament, for whom I entertain a very sincere respect, but whose amendment, in this instance, I think was uncalled for; and, if allowed to remain a part of the resolution, may lead to consequences which we shall all have reason to lament. Under these circumstances, I must again entreat your Lordships to strike out these words. Having said thus much, I confess I am very unwilling to trespass further upon your Lordships' attention; but seeing what has occurred in the United States and in the island of St. Domingo, I cannot help again expressing my opinion, that it would have been better to have postponed these measures for a few years longer, until we had instructed the negroes how to bear the change which we are now going to make in their condition.

*July 5, 1833.*

### EAST INDIA COMPANY'S CHARTER.

The Marquis of LANSDOWNE having, in a lengthened address, called upon their Lordships to concur in the resolutions adopted by the Committee of the House of Commons on the subject of the East India Company's Charter,

The Earl of ELLENBOROUGH protested against the plan.

*THE DUKE OF WELLINGTON* said:

My Lords, Having been so long a servant of the East India Company, having served so many years of my life in that country, having witnessed the benefits conferred by the Government now about to be put an end to on the people of that country, having seen the operation of that Government at a period of my life when I was capable of judging of its character, having had reason to believe from what I saw then, and from what I have seen since, that that Government is the best administered, the most purely administered Government that ever existed—a Government that provides best for the happiness of the people committed to its charge—with such recollections and opinions deeply and unalterably impressed on my mind, it is impossible that I can be present at a discussion of a question of such a description, without arresting your Lordships' attention for a short time whilst I deliver my opinions on the measure proposed by His Majesty's Ministers. At such a late hour of the night, when your Lordships are necessarily exhausted by the attention you have paid to so interesting a topic, I will not follow the noble Marquis (Lansdowne) into the consideration whether a chartered Company, which is to carry on the government and the trade at the same time, is or is not the establishment best calculated to carry on the government and the trade of an empire like India. That is not the question before your Lordships. When I hear such a discussion I cannot but recollect what I have seen in that country; I cannot but recal to my mind the history of the East India Company for the period of the last fifty or sixty years; I cannot but recollect the days of its misfortunes; I cannot but remember the meridian of its glory; nor can I shut my eyes to the situation in which it stands at the present moment. I will not pretend to say whether there are forty, fifty, sixty, or a hundred millions of people under the British Government in India (for those extremes of numbers have been taken in the course of the debate), but I will say that there is an

immense population, and that the revenue amounts to 20,000,000*l.* per annum, and that, after the Company have been engaged in wars during the whole term, or a greater part of the term, of a century, they have a debt which amounts to only the sum of forty millions sterling. I am willing to acknowledge that even such a debt is not desirable ; but still I maintain that it is deceiving the people of England to say that a Company that has thus conducted its affairs is unfit for the functions of Government, or unfit for the management of commerce. This Government, which has been thus administered for so many years, is at last to be put down by the proposed arrangement, and the people of England are to be taught that it is a Government neither calculated for trade nor for general control. The East India Company have shown the situation in which they are after all the circumstances of their history. I will admit with the noble Lord who last spoke, that the Legislature has always retained the power of revising the institutions of the Government of India, and for the carrying on the trade of the Eastern dominions of the Crown ; but it is evident that the Legislature has never lost sight of one thing—it has never forgotten that the Company had a Charter to be considered in all future arrangements. The present plan pays no such respect to former stipulations. It reverses the situation of the Company ; it alters entirely all the relations in which the trade stands, not only with respect to the East Indian revenue and finances, but likewise with respect to this country, and to the local interests of great towns, such as London, in which the trade is established. There can be no doubt whatever, that the alterations now to be made in the situation of the Company very much reduce its power ; which however has been reduced for twenty years past. I ask your Lordships to look at the state of a Company at the head of a capital of from twelve to fourteen millions. Any body of persons carrying on a trade with such a capital in this city must have become possessed of enormous patronage, which must have rendered it a great and independent Company, and much more independent than it can ever be again. It will never have the same power in relation to His Majesty's Government that it has had ; and, what is yet worse, it will not have the same power in relation to its old servants. It is no longer in the same independent, respectable, and influential situation in which it has existed for so long a period. These considerations I deem to

be of extreme importance, and I trust they will have their weight upon the House. I will now beg leave to remind your Lordships of one curious part of the proposed transactions. If your Lordships will read the correspondence, you will see that the Company in future are to be bound, as a matter of course, to sign any despatch which may be sent to them ; and this the Company are to do, not directly or by themselves, but by a signing officer to be appointed for them, and for that purpose. I beg to remind the House that the same proposition was made to the Company so far back as the year 1784, when Mr. Pitt recommended the arrangement, and the Company not only refused to adopt it, but successfully resisted the proposition. Notwithstanding this, upon the present occasion the proposition must be adopted, and the Company will have no option but to be placed in the situation of implicitly obeying whatever His Majesty's Ministers may be pleased to direct. I will put one question of some importance to His Majesty's Ministers. I will ask, is it intended, or is it not, that the Company's trade to China shall be terminated at the present moment, or is it intended that it shall go on until April 1834 ? This will make a great difference with respect to the finances of the Company. The question will affect a great number of chartered vessels. It is absolutely necessary, as well for the Company as for the private trader, that this matter should be speedily settled. Look at the consequences of this transaction with reference to the city of London itself. The East India Company is a body trading on a capital of about fourteen millions sterling. Great as is the city of London in relation to the kingdom, important as it is in relation to the whole trade of the community, will any man venture to say, that the withdrawing of such an immense trading capital from it would not most seriously affect the inhabitants of the metropolis ? The residents of Poplar and of that neighbourhood depend entirely on the business of the East India Company, and many thousand persons are employed in different grades in the Company's service. It is impossible then to put down this trade without creating the most extraordinary distress ; and your Lordships hear of the distresses of the industrious classes which are occasioned by such sudden, unexpected, and unnecessary destructions of trade, or alterations of the long-established channels of commerce. It is my opinion that the Government ought to have endeavored to prevail on the Company

to continue their trade to China as a Joint-Stock Company. The Government ought also to have relaxed the Commutation Act, and adopted other means to induce them to carry on the trade. It is true that the people of this country are desirous of participating in the trade with China, but still they have never expressed a desire that the Company should not likewise participate in that valuable commerce. Had the Company been relieved of the oppression of the Commutation Act, and obtained their fair and just chances of success as free traders, I am confident that neither the Company nor the country would have objected to the proposed arrangement, and that arrangement might have been pressed with advantage to both parties. But the noble Lord who spoke last asks how the Company are to continue to pay their dividends? Why, supposing their trade to have gone on as badly as it could have done, their dividends would have been secured to them by the saving of expense in the Government of India. One of the worst parts of the plan is, that the Company will have to draw their dividends from India. That necessity will tend to increase the sums annually to be brought home in the shape of remittances to such an amount as cannot fail to prove vastly inconvenient to commerce. It is, as has been before observed, remittances which principally occasion inconvenience to commerce. The noble Marquis, in opening his case, dwelt much on the state of the finances of India, and referred to various documents to show the state of those finances. As, unfortunately, the papers to which the noble Marquis so referred are not on the table of your Lordships' House, it is out of my power to form an opinion of their accuracy, and I have been unable to follow the noble Lords in their statements; but from calculations that I have myself made, I am confident the noble Marquis has much underrated the amount of these deficiencies. From my calculations I am ready to contend, that, from the new arrangement about to be made, it will be necessary to remit more than 2,700,000*l.* a-year, which will press greatly and injuriously on the trade of that country, particularly if the remittable loan is not paid off. The noble Lord opposite has stated that I have intimated to the Directors, that, if they cannot carry on the Government of India in any other way, they must do so by borrowing. That certainly is not the view which I take of the question. I admit that borrowing may be resorted to if a necessity exist, but I think it has been resorted to too much



already. There is, however, another mode by which the Government can be carried on without borrowing, and that is by a reduction of every expense which is not absolutely necessary. I have already stated that I am confident that the arrangements made for carrying on the Government of India at home are calculated to deteriorate the authority of the East India Company among their own servants in India; and I feel further bound to tell your Lordships, that I consider that, if such an arrangement takes place, it will prove ere long highly detrimental to Great Britain in the legislation of India. I cordially agree with my noble friend who spoke second in the debate of this evening, that the effect of all the arrangements in the Government of India will be found prejudicial to any interests reserved to the Company. The appointment of Councillors by the Court of Directors has been always considered by the East India Company as one of the means by which they are enabled to exercise a moderate degree of influence over the Governor. These appointments, however, I find are to be no longer made by the Court of Directors; and when, in addition to that circumstance, I find that their appointment is left altogether with the Governor-General, the very individual whose proceedings they were originally intended to control, and moreover only to be appointed when such Governor-General thinks fit, I confess I feel much alarm for the general success of the Indian Government. From experience I know the vast importance of having a responsible authority in each of the subordinate Governments, and the necessity that every proceeding relating to such Governments should be put upon record; and therefore I am the more urgent in calling upon His Majesty's Ministers to pause ere they deprive the general Government of India of the check which those Councillors were upon the proceedings of the Governor-General. I would also beg to impress on the Government the danger of destroying the principle of 'the Governor in Council.' All the acts of the Governor-General ought to be of the Governor in Council; when he differs from the opinion of the Members in Council, he is bound to state his reasons in writing; and if they still differ, he is authorized to act on his own responsibility; but this statement of his reasons brings the whole of his acts under the consideration of the Court at home. If, however, the Governor has to appoint his Council at will, there will be less chance of their differing, and of course fewer oppor-

tunities of bringing their acts under the view of the Directors. I must also object to that part of the arrangement which makes the other presidencies dependent on that of Bengal. It has been stated in the course of the debate, that the Governments of Fort St. George and Bombay have been the causes of all the extravagances in the General Government of India, and that they ought to be abolished. Government proposes to diminish their authority. It is true that the resources of Bengal are those which keep up the whole machinery of the Government of the country, but I take upon myself to deny—and having served in both the Government of Fort St. George and Bombay, I trust my denial will have some weight—that anything like extravagance has or indeed could take place in the management of either of those Governments. In proof of this assertion I may mention that, while serving in the Government of Fort St. George, although in command of 60,000 men, I never incurred the expense of one shilling beyond the regulated expenditure, without recording every such expense, and leaving to the Governor to judge whether it was proper or not that such expenditure ought to be incurred. Had I not done so I should have been obliged, by the regulations of the Government, to meet all the charges for it out of my own pocket. People may talk of the necessity of having checks to expenditure, but I defy any one to point out how a stronger check than that to which I allude could be imposed. If, then, no proof of extravagance can be made out as against these presidencies, I would strongly advise Ministers to consider well before they decide upon diminishing their authority. The great advantage which they offer is, that, if any insurrection takes place in their parts of the country, they at once supply a sufficient force to quell it. Supposing the presidency of Fort St. George to be abolished, what would be the consequence should an insurrection take place within its present district? Why, it would take three months before a competent force could be obtained from Calcutta; and yet it is supposed to be economical to deprive those presidencies of their local authorities, and to establish a despotic power over them in the hands of the Governor-General. It is likewise understood that the nature of the office of Governor-General is to be entirely changed. On that point I have only to say, that I have seen a great deal of Governors-General, and have also means of judging of the nature and extent of the powers intrusted to them, and the result of my observations

is a conviction that they are vested with as much power as they can desire to have, or can exercise with satisfaction to themselves or those under them. There is another part of the measure which I feel it my duty to entreat Ministers will consider before they adopt it; that is, the separation of the province of Bengal from under the immediate care of the Governor-General, and the giving it a Governor and Presidency of its own. The province of Bengal is the source and spring of the power of India, and should be never lost sight of by the Government of that country. As well might the noble Earl think of remaining first Minister of the Crown without the control over the Treasury department which he now exercises as its First Lord, as the Governor-General of India think of carrying on his Government with a separate power to administer the province of Bengal. Look at that province with reference to its trade, to its agriculture, to its population, or to its finances, and you will find it more productive in each of those respects than all the other Presidencies put together. It is, in fact, the source on which the Government of India has to rely for everything, and should not, under any circumstances, be lost sight of. I next come to speak of the power with which it is proposed to intrust the Governor-General of legislating for India. That power I think would be too extensive to be hastily intrusted to any individual, more particularly as it is to be so exercised, subject only to the control of a Council under the appointment of that individual. The object for which that power is to be intrusted has reference, I believe, to the expected increase in the resort of British subjects to India. Now, if there is any one point on which all parties are agreed, and I make this assertion from a perusal of the evidence taken before the Committee which sat to inquire into the subject in both Houses of Parliament, it is, that the natives of India should, as much as possible, be employed in the revenue and judicial establishments of the country. That point was again and again impressed on the attention of Ministers in the evidence of last Session, and so likewise was another point to which I beg to direct attention—namely, that Europeans ought not to be allowed to resort to the Indian territory, as, by doing so, they invariably become an impediment to the employment of natives in judicial relations. I would defy the Governor-General, or any other authority, to employ a native in any judicial establishment in which it is possible to employ an European. One thing on which

the noble Lords opposite calculate as a result of their plan is, that large capital will be applied in carrying on trade in India. It is true that large sums have been embarked in the cultivation of indigo and of sugar; but let it not be imagined that all the capital so embarked is the property of the persons immediately engaged in those speculations. The money is, for the greater part, advanced by the houses of agency in India, and is, in general, the savings of the civil and military servants of the Company, who foolishly place it in such houses, and are thus, by their misplaced confidence, deprived of the hard earnings of a long service in the country; but noble Lords may depend upon it, that men of large capital will not go out and risk that capital in speculations which would be unsafe—and certainly it would be unsafe to embark large capital in such speculations in India. I must express my regret that the advice of the late Sir John Malcolm has not been taken, of constituting an independent body in London, representing the interests of India. Such a body would be an effectual check on the acts of Government with respect to India; but I am sorry to see, that, instead of making the only body of men which did represent Indian interests independent, this measure will take from them much of the power and influence which they now possess.

Resolutions agreed to.

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*July 11, 1833.*

#### CHURCH TEMPORALITIES (IRELAND) BILL.

*THE DUKE OF WELLINGTON*, in presenting two petitions on this subject, said:

Although I shall have another opportunity of stating my opinion of this Bill, still I cannot present these petitions without stating that I consider the Bill utterly inconsistent with the policy of the country since the period of the Reformation; but more especially that it is inconsistent with the policy of the country since the Revolution. Since the period of the Revolution it has been the uniform object of the Parliament to maintain the Protestant Established Church in Ireland in all its integrity. That object has been clearly shown in latter times—in the repeal of the Test and Corporation Acts in 1828, and in that greater

measure which was introduced the year following—the measure of Catholic Emancipation. In both of those measures it was easily to be seen that the first object of Parliament was to maintain, as far as possible, the Protestant religion in Ireland as established at the Union. Yet now a measure of reform in that Church is proposed to us, which is contrary to all former policy, and which, I will maintain, is the necessary consequence of the measure of last year—a measure which I cannot cease to deplore. At the period of the Union, the Protestant inhabitants of Ireland were told that they were then a minority in a country in which the majority of the people was of a different religion; but that, by consenting to the Union, they would become a part of the majority, and would acquire some advantages, of which they had been deprived from the period of the Reformation till that time. But how is this Bill consistent with that declaration, and with the Act of Union itself, which declared that the Churches of the two countries were united? If I thought it necessary to refer to further evidence that this Bill is contrary to the policy of the country, I might add, that it is impossible to maintain the Coronation Oath in its integrity, if this Bill receives the Royal assent. His Majesty positively swears at his Coronation that he will maintain inviolate all the principles and temporalities of the Church of England, and no one will deny that the property of the Church is vested in the Church, and, therefore, that the Bill before the House is diametrically opposed to the very spirit of that Oath. I cannot draw a distinction between the Legislative and Executive capacity of His Majesty. I think that an oath is as binding in the one as the other; and I will defy any man to show that His Majesty can, by any possibility, give his assent to this Bill, or to any one containing such provisions. I will ask the House, whether the King's consent to the introduction of such a Bill as this is a Legislative or an Executive act? In my opinion it is an act of his Executive power. I have before stated several reasons to justify the assertion that this measure is altogether opposed to the policy hitherto pursued by this country. That oath is another evidence that such was the policy of the country at the time it was framed, and that policy ought never to be departed from.

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July 19, 1833.

In the resumed debate on the Church Temporalities (Ireland) Bill,

*THE DUKE OF WELLINGTON* said:

I rise in order to state to your Lordships the reasons for the course I mean to take on this important question. I will confine myself to the statement of those reasons, and, following the advice given by the Right Reverend Prelate, avoid everything like angry discussion. At the same time I think I have some reason to complain of the observations made by the noble Earl opposite upon what recently fell from me on the presentation of a petition. He spoke with more than his usual asperity, and urged topics to which it is necessary I should briefly advert. I should, perhaps, have avoided this point, if the noble Earl had not, according to a practice not unusual with him, endeavored to throw the blame upon the Government which immediately preceded that of which he is so deservedly the head. However desirous I might be to attend to the recommendation of the Right Reverend Prelate, it is impossible for me to listen to those charges without making some reply, and without adding a few remarks upon the clauses and provisions of the Bill. The noble Earl supposed that, in what I said as to the policy of the present Ministers, I referred to the question of Parliamentary Reform. Your Lordships will do me the justice to admit, that since that Bill passed I have never made the slightest allusion to it in the House. The Bill having passed, I considered it my duty to submit to it, and to endeavor to carry it into execution by every means in my power. Moreover, I have never thrown out a single reproach upon the subject in any discussion that has taken place in this House. On the occasion to which the noble Earl referred, I did not make the smallest reference to it. The noble Lord informed us, in very strong and decided language, that he considered Parliamentary Reform only as a means to an end. Whether he has prevailed upon His Majesty so to consider it, I know not. This I must say, that under a Reformed Parliament, or under an unreformed Parliament, the people of this country are entitled to the best system of measures that can be devised to promote their prosperity. It is the duty of Parliament—the duty of all men, whether in or out of Parliament, who recommend measures for adoption—to recollect that the British Constitution is formed, not only for the protection of the life

and liberty, but for the protection of the property of the subject. Give me leave to add, that property is not protected merely by attending to the representation of different interests—by listening to-day to those who are deeply interested in the commerce of one part of the world—by receiving to-morrow another body of men who are anxious to do away with the revenues of the Church; or by admitting on a third day a third party who wish to abolish a system most beneficial to a large colonial territory. I have made these observations in answer merely to the taunts of the noble Earl, who charged me with adverting to the foreign policy of the country, and with wanting to carry into effect my own plans by means of coercion, setting up, as the noble Earl said, a new Holy Alliance to fight the cause of despotism against the liberties of Europe.

Earl GREY: I really said no such thing; I did not accuse the noble Duke of wishing to carry into effect his own plans. What I said was, that we were placed in a situation in which we must resolve to adopt one of two lines of policy—either to stop Reform by coercive and strong measures, or, by yielding, in some degree, to the spirit of the times, to lead the public mind to such Reforms as were salutary.

*THE DUKE OF WELLINGTON:*

You charged me with wishing to form another Holy Alliance.

Earl GREY: I said, that, if you resolved upon coercion for such a purpose, you must unite yourself with the Holy Alliance. I did not refer to you individually.

*THE DUKE OF WELLINGTON:*

It is very true that I have passed the greater part of my life in the foreign service of the country, and I naturally feel considerable anxiety on the subject of foreign policy; but the internal affairs of the kingdom have become so important and difficult, that it would not now be worth while to trouble your Lordships, for a quarter of an hour, on a question of foreign policy. What I maintained was this:—that the course pursued by the present Government, from the moment at which they came into office, had been the cause of the situation in which we now stand; our situation is the consequence of their policy, and it affords us also an earnest of the future. A noble and learned Lord said last night, that agitation in Ireland had been occasioned by delay in grant-

ing the Roman Catholic claims ; but he seems to have forgotten that it existed both before and after the concession had been made. It had existed ever since the commencement of the discussion on those claims ; from that period to the present there has been nothing but continued agitation, excepting during part of the years 1829 and 1830. It recommenced in 1830, in consequence of the events at Paris and Brussels ; the occurrences at Brussels particularly gave rise to the agitation and discussions regarding the Union. It was carried to such an extent, that the local Government, under the noble Duke, whom I do not now see in his place, was obliged to put in force the Proclamation Act. That was the period when agitation recommenced after the French Revolution. It was continued when the present servants of the Crown came into office, and then a noble Marquis, for whom, personally, I feel great respect, was appointed Lord-Lieutenant of Ireland. He was certainly the last person who, at such a crisis, should have been selected, and the reason, which is perfectly obvious, is this :—The object and policy of the Government, after the passing of the Roman Catholic Relief Bill, should have been to do all in their power to conciliate—whom? The Protestants. Everything had been granted to the Roman Catholics that they could require ; so that the policy should then have been to conciliate the Protestants. Instead of that, the present Ministers sent to Ireland a noble Lord, certainly the last man to conciliate the Protestants. Because he had scarcely taken his departure, or, at all events, scarcely arrived, when he issued a sort of proclamation almost urging that agitation should be continued for the purpose of obtaining an additional boon. In order that your Lordships may understand what agitation is, I will take leave to describe it. First of all, it is founded upon a conspiracy of demagogues, priests, and monks, and the means are terror and mobs, to be employed wherever terror and mobs can be used. This is to produce an effect upon Ministers, and an alarm in Parliament ; and the mobs are excited by orations and seditious speeches at public meetings—by violent publications through the Press—by exaggeration—by flattery, and by all the resources in the power of persons of that description. The people are called upon to repair in large bodies to all points where it is possible to create terror. If any person opposes himself to this design, he is immediately murdered, or his house and property destroyed.



The least thing is a combination to deprive him of the means of obtaining subsistence; and all is intended to destroy the peace of the country. This is the system which is called agitation; and which the noble Marquis contributed to promote. When he reached Ireland, one of the first things done was the establishment of that combination against tithes, the evidence of which, taken before a Select Committee, is upon the table. I have extracts from the Report in my pocket; but at this period of the debate I will not trouble your Lordships by reading them. It will no doubt be acknowledged that there exists a combination to prevent people from paying tithes, that the expense is defrayed out of a common fund, and that the operation is to force the parties claiming tithes to proceed to distrain. After that has been done, thousands assemble to prevent persons bidding at the sale; if they do bid, they are ruined or murdered. Such are now the proceedings in a large part of Ireland, and such they have been for a long period of time. But while these things have been going on, what has been done by the Ministers to put a stop to them? So little, that there is no disguise used about these proceedings. On the contrary, many openly abet them; and there are persons, indeed, who have at different public meetings moved resolutions, declaratory of their determination not to pay tithes, and that payment of tithes ought not to be enforced. His Majesty's Ministers, my Lords, have done nothing to stop this. No measure has been taken, except to signify to the Lord-Lieutenant that he should carry into execution the provisions of the Proclamation Act. That Act was put in force; the Attorney and Solicitor General of Ireland prosecuted Mr. O'Connell, and the prosecution was eminently successful. But what then? Why, the noble Earl dissolved the Parliament, and, consequently, the punishment could not be carried into execution. And then what was done? Not only the noble Earl did not, when the Parliament again assembled, pass an Act to put a stop to these combinations against the payment of tithes, but he actually came down to Parliament and put into the mouth of His Majesty the sort of declaration which I am now about to read to your Lordships. The speech was delivered in the month of June, 1831; and, speaking on the state of Ireland, His Majesty was made to say,

‘ Local disturbances, unconnected with any political causes, have taken place, both in this part of the United Kingdom and in Ireland. In the

county of Clare, and in the adjoining parts of Roscommon and Galway, a system of violence and outrage has existed to an alarming extent, for the suppression of which the constitutional authority of the laws has been vigorously and successfully exerted. By these means the necessity of passing new laws, and of investing the Executive Government with increased powers, will, I trust, be avoided. To avert such a necessity will be my most earnest desire; but if it should unfortunately arise, I do not doubt your firm resolution to maintain the peace and good order of society.'

This, my Lords, was in the month of June, 1831, at the very time when the affair at Wexford happened. If your Lordships will only refer to the Appendix to the proceedings of the Committee of this House upon the subject of tithes, you will see what was done with respect to this state of the country, to which the speech ought to have referred. The country was at that time in a complete state of disorganization, so that this property in tithes no longer existed; the proprietors of tithes could no longer use their property; and yet, this being the state of Ireland, that was the speech that His Majesty's Ministers put into the mouth of His Majesty, to make on this occasion. His Majesty again addressed the House in the month of December, 1831. His Majesty then said:

'In parts of Ireland a systematic opposition has been made to the payment of tithes, attended, in some instances, with afflicting results; and it will be one of your first duties to inquire whether it may not be possible to effect improvements in the laws respecting the subject, which may afford the necessary protection to the Established Church, and at the same time remove the present causes of complaint.'

That speech was made only one year after the opposition to the payment of tithes had begun. On that occasion the Tithe Committees were appointed, and from that moment the collection of tithes ceased in Ireland altogether. In fact, my Lords, Committees were appointed to discover, if possible, some plan to alter the system of collecting tithes, but from that time to this no tithes have been collected in Ireland beyond the value of a few thousand pounds. In the course of this Session of Parliament, your Lordships are aware, a Bill, called the Coercion Bill, has been passed; but I beg that your Lordships will also recollect what took place in another place, and what pains were taken to give authority and weight to the assertion that no coercion whatever was intended to the country. My Lords, that course of proceeding was most injudicious, for I have been informed that the very

apprehension of the Coercion Bill had been such, that some of the clergy had been able to collect their tithes, and in this very year that was the case, for in this year some tithes have been collected; but one fine day a gentleman discovered that a policeman, or a constable, or a soldier, or somebody or other, had given assistance in the collection of tithes, and the matter was at once mentioned, and then the Government said that such assistance should not be given; and since then, my Lords, a notice has been published by the Solicitor to the Treasury in Ireland, which has totally put a stop to the payment of tithes. I say, my Lords, that this description of property no longer exists; nobody thinks of paying tithes, and there are now three or four years' tithes due to the clergy, but there are no means of recovering these arrears. The notice published by the Solicitor to the Treasury of Ireland is to this effect—that no proceedings will be had at the approaching Quarter Sessions against any persons withholding tithes due to His Majesty. Since, then, my Lords, I say no tithes have been paid, and there is an end of this description of property. Now, I beg leave to ask your Lordships whether, when the Duke of Northumberland was in Ireland, this description of property was not quite secure, and whether the country was not in a state of tranquillity from after the time of the passing of the Roman Catholic Bill to the end of the year 1830? And that being the case, my Lords, I ask, whether it is quite fair in the noble Earl to throw on us the blame of these transactions, to make us responsible for this state of things, or whether he ought not fairly to take the blame upon himself, especially considering what the object of the Government was then, and what was its policy, and what has been the object and the policy of the noble Earl's Government? For I say, my Lords, that with the Government that preceded that of the noble Earl, it was an object to protect the Protestant Church in Ireland, and that it has not been the object of the noble Earl's Government to protect the Protestant religion, or the Protestant clergy in Ireland; and yet, my Lords, the noble Earl has admitted that it is part of his duty to do so. I think I have said enough to show your Lordships, that at this moment the parochial clergy of Ireland are the subjects of a direct attack, and require the protection of the Government; and as a proof of that, I refer your Lordships to the statement made by the Right Reverend Prelate upon the lower Bench a short time ago. I will

not weaken that statement by repeating it, but your Lordships will recollect that he said the Protestant clergy were totally ruined. At this moment they are the objects of the charity of the Government. They say that His Majesty's servants have given notice of their intention to introduce a Bill into Parliament to pay their salaries—I mean, to pay their tithes for the last three years; but that measure has never yet been proposed. Therefore, my Lords, these gentlemen are at this moment absolutely at the mercy of His Majesty's Ministers. Then let us look to another branch of the Protestant Church of Ireland—I mean that which has hitherto depended on the income derived from what is called the Church-cess. This Church-cess was always paid with considerable difficulty. There is more facility in opposing the levying of Church-cess than even in opposing the levying of tithes. The noble Lords who are inhabitants of that part of the country must know the truth of what I say. There is vast difficulty in collecting the Church-cess. The persons who originally imposed it were probably Protestants; but the later vestries have appealed against it. Of that right they have constantly availed themselves; and these appeals have been almost uniformly in the course of last year, and, indeed, since the year 1830. The consequence is, that this provision for the service of the Church no longer exists any more than tithes. There is nothing to support the existence of the Church—nothing for the sustentation of the Church—nothing for keeping it up—nothing for repairing the fences of the churchyards—nothing to pay the salaries of the clerks and of others, who are necessary to perform the Church service. But there is another consequence to persons attached to the service of the Church in Ireland; and I shall beg leave to state to your Lordships what their situation is. The possessions of the Hierarchy in Ireland are stated to produce an annual revenue of 160,000*l*. It appears that two-thirds of that revenue is paid in fines, and those fines are paid on the renewal of the leases of lands held under the Bishops. Under the law of the last Session of Parliament, the Bishops were placed under the necessity of insisting on receiving from their tenants the tithes of those lands which the tenants occupied and held under them upon lease. As the Bishops were to pay these tithes to the Church, it was necessary that they should do this. The tenants have refused to renew their leases, and consequently they have not paid their

finer, and the Bishops are thus deprived of two-thirds of the means of their subsistence. Then, my Lords, the Curates get nothing. There is nothing for the sustentation of the inferior ministers of the Church, and the Bishops have lost two-thirds of their income, having nothing now left but the bare revenue of their lands. Taking the statement I have before mentioned to be correct, the consequence now is, that the income of all the Bishops of Ireland is reduced to about 50,000*l.* a-year, which is all that the high clergy of Ireland now have for the performance of their duties, for the maintenance of the Church, and for the sustentation of the men who are attached to its service. The noble Marquis, who spoke a few nights ago on this question, talked of the estates belonging to the Irish Church as of a million of acres. My Lords, that million will dwindle down into almost nothing at all when he finds that the rent which is received from the tenants of these estates amounts only to 50,000*l.* a-year for this million of acres. Having made this statement to your Lordships of the condition of the Church in Ireland, which I do not consider exaggerated, but true, I have stated that which is my inducement not to oppose the committal of this Bill. It appears to me absolutely impossible that the Church of England established in Ireland can continue to exist for a day if some measure of this description is not passed to relieve it from its present unfortunate situation. I do beg my noble friend, the noble Duke (the Duke of Newcastle), to consider a little what is his duty under the circumstances which I have stated, and which have induced me not to refuse my assent to the Bill being committed. The revenues of the Church are reduced to nothing, and it will be impossible for him to act on his views of the question unless a measure for the relief of the Protestant Church in Ireland is adopted by Parliament ; and on the 19th of July, if my noble friend continues to say that he will stand upon principle, and upon principle alone, and that he will not allow the property of the Church to be touched on any pretence whatever, he may do so ; but what will happen ? Why, that the Church of Ireland must go : if he will not act otherwise it must be destroyed. It is true we shall have the honour of having resisted to the last, but the Church we wish to preserve will suffer through our conduct. The noble and learned Lord who has spoken lately on this subject mentioned the same principle as governing his vote. My Lords, I want to know from the noble

Duke, and from the noble and learned Lord, whether they can dispute the facts I have stated? Can they prove that, if something is not done, the Church will not be ruined. If this House does not go into Committee on this Bill, are they able to say what measure will be adopted for the relief of the Church of Ireland? I ask them whether it is possible that the Church can remain to receive the benefit of their standing out on principle for another year? My Lords, if the world was governed by principle, nothing would be easier than for a man to conduct the greatest possible affairs; but it is not so, and in all these affairs the choice of a wise man is confined to select the least of two contending difficulties; and on this occasion the lesser of two evils seems to me to go into Committee on this Bill, and to see what measure can be adopted for the relief of the Protestant Church. But noble Lords will say: 'Reject the Bill, and let those who have brought the Church into these difficulties find the remedy.' My Lords, we have now reached the 19th of July—the thing is absolutely impossible—the measure is urgent—something must be done immediately in order to give relief to the Church, and if that is not done the Church must fall. The Right Reverend Prelate who spoke with so much ability last night urged upon your Lordships' consideration that a different measure might be adopted in order to relieve the Church of Ireland; and a Right Reverend Prelate who spoke this evening likewise stated that some other measure might be adopted. I will not dispute, my Lords, that it may be proper that the Church-cess should be thrown on the proprietor of the land rather than on the occupier; but I beg to remind them that that is as contrary to principle as some of the changes proposed by the Bill. The owner of the land has made some allowance to the occupier, and I want to know whether it is not as much contrary to principle to make the owner pay that for which he has already made an allowance to his tenant? The Right Reverend Prelate who spoke last night mentioned another circumstance; he referred to the Grand-Jury-cess. Why, my Lords, the Bill for regulating that ought not to have passed, if the House stood on considerations of principle alone. If they had done so, they should not have consented to make the changes which they have already made. Therefore, I would entreat your Lordships again to consider, that, if you stand on principle alone throughout this case, you will do so to the destruction of the Church. It is your duty to protect and to

relieve that Church, and, therefore, you should consent to go into this Committee. I come now to another point—a few words on the subject of the details of this Bill. I certainly think that, the service of the Church being for the benefit of all the people of the country, all should pay their share of its expenses; but still I think that the payment of Church-cess should be put on a footing on which it is clearly of benefit to the Church. What the noble Earl said as to the conduct of a noble relative of mine, on a former occasion, in Ireland, is not, I think, borne out by the facts. The facts of the case are these:—The clergy of Ireland are bound by law and by their oath to keep schools. They had been in the habit of paying 40s. a-year, instead of keeping schools. My noble relative, then Secretary for Ireland, intended to oblige them to keep schools, as, by their oaths and by the law, they were bound to do. But that is a very different thing from laying a tax on the clergy, for the purpose of paying expenses which other parts of the country ought to bear. I object, likewise, to the formation of the Board relative to the administration of the First Fruits. I confess that I have not heard yet from anybody who has spoken, except from a noble Marquis, anything against the Board of First Fruits; and I do not understand why the management should be intrusted to other persons instead of that Board. In consequence of the greater labor they will have, they may require some assistance, but, if so, they should be assisted by those of their own body. At the time when the 147th Clause was in the Bill, I could understand that the Government had a right to know what was the nature, the amount, and the mode of application of these funds. That clause has been struck out, and the money is now solely applicable to ecclesiastical purposes, so that I see no reason whatever why these Commissioners should not be exclusively Ecclesiastical Commissioners, with such assistance of lay persons approved by them as will best enable them to execute the purposes for which they were appointed. I likewise, I confess, object to the diminution of the number of Bishops in Ireland; and I cannot concur with those arguments on which that diminution was founded by the noble Earl. It is very probable that, if I now had to frame a Bill for the first establishment of the Protestant Church in Ireland, I might not think it necessary to have three Archbishops and twenty-two Bishops to 2000 clergy; but they are there—and they cannot be withdrawn—and you cannot withdraw from the

Protestant religion and the Protestant interests in Ireland that protection which they have hitherto enjoyed, without injury to that religion there ; and that circumstance alone is sufficient for me to make every possible effort to keep up the present number. There is another consideration which has already been referred to by a Right Reverend Prelate, and that is, that, wherever a Protestant Bishop is withdrawn, a Catholic Bishop will be appointed ; and moreover it is likely he will be placed in the palace, and probably use the very furniture, of the Protestant Bishop. It is not a fair mode of calculating the duties of these persons to say that such is the amount of the population, or such the extent of the country, or that there are only so many benefices in the country. It is true that the Irish Bishops have sometimes but from thirty to forty or fifty benefices under their charge, but with that number they have more trouble and anxiety than any Bishop of the Church of England with 600, or even 1200 benefices intrusted to his care. But there is another circumstance worthy of your Lordships' attention, and that is, that the Bishops in England are assisted by Deans, Archdeacons, and others, in the discharge of their duties : that is not the case in Ireland. The twenty-two Bishops of Ireland have personally to perform all the duties which the Bishops of this country perform through their Deans and Archdeacons. Another part of the Bill to which I certainly entertain the strongest objection is that which prevents the building of churches in those parishes where divine service has not been performed for three years. And this provision, my Lords, you will observe, is made applicable to a country in which, from the very circumstances in which it has been placed, the clergymen may have been prevented from performing their duty by acts of violence and aggression. My Lords, this provision is in direct contradiction to all the previous enactments of Parliament on this subject. The former enactments of Parliament went to this—to give assistance towards the building of churches in those parishes in which divine service had not been performed for many years. That was the principle on which Parliament has acted heretofore : but now, if divine service have not been performed in any particular place for three years, Parliament, it seems, is to adopt, by way of remedy, the principle that divine service shall never be performed there again, and that no church shall be built in the place. I hold in my hand a statement of the number of churches



built in Ireland under the provisions of former Acts of Parliament, and I must beg your Lordships to reflect what will be the consequences of this measure, and what would have been the consequences to Ireland if former Parliaments had adopted the principle to which we are now called upon to assent. Subsequent to the year 1805, the principle of Parliament was, to grant money for building churches in parishes in which divine service had not been performed for twenty years. Previous to the time when this provision came into force, 102 churches and forty-one glebe-houses were built by the Board of First Fruits in Ireland, but, from the year 1805 to the year 1826, 562 churches and 537 glebe-houses were built or enlarged by that Board. Now, my Lords, supposing that Parliament had proceeded thirty years ago upon the principle of the present Bill, and had said,—‘You shall levy no money to build a church in any parish in which divine service has not been performed for three years,’ the consequence would have been, that, out of 1192 churches which have been built in Ireland, 639 would not have been built at all, being more than one-half of the whole number of churches existing in that part of the United Kingdom. My Lords, I believe it to be our duty, in every case, to do everything we can to promote the Protestant religion. It is our duty to do so, not only on account of the political relations between the religion of the Church of England and the Government, but because we believe it to be the purest doctrine and the best system of religion that can be offered to a people. That being the case, I wish to know whether or not it would not be our duty to leave out of this Bill a clause which may check the growth of the Protestant religion in Ireland? For this reason, if there were no other, I feel convinced that your Lordships will go into Committee on this Bill; and I trust that His Majesty’s Government will not be disposed to adhere to this clause, more especially when it has been stated by the most Reverend Prelate (the Archbishop of Dublin), as well as by His Majesty’s Government, that the clause is harmless, and that it is not intended to be liable to the objections which have been raised to it by those who are attached to the Protestant religion in Ireland. I can entertain no doubt, my Lords, if it be not intended to have those disastrous effects, His Majesty’s Government will consent to its omission. My Lords, I have now gone through those parts of the subject to which I wished to draw your attention. It has given me great

pain that I have been under the necessity of mixing up with these discussions any reference to past transactions ; but being accused, as I was, of being the cause of that state of things in which this Church now finds itself, I was under the necessity of justifying the Government to which I belonged. I have stated to your Lordships what I take to be the real state of the Church of Ireland, and I entreat your Lordships to go into Committee on this Bill, with the view of rendering it such as it ought to be, in order to give to that Church the greatest possible stability ; and I have, at the same time, stated to your Lordships what I take to be the objectionable parts of the measure.

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*July 24, 1833.*

In Committee on the Bill, on Clause 55 being put,

*THE DUKE OF WELLINGTON* said :

I will take this opportunity of suggesting to your Lordships the introduction of a clause into this Bill. I am not sure that the present is the proper time for proposing it, and I shall, therefore, not press it should any objection be offered to it. The alterations which we are now making in the arrangement of the temporalities of the Irish Church would afford the Government a fit opportunity of making a proper provision for the College of Dublin. It appears that there are in that society seven Senior and eighteen Junior Fellows ; that there have been heretofore in course of education at the College 800 scholars, and that at present there are 1700. The labour of the Junior Fellows is, consequently, very considerably increased ; and there can be no doubt that there ought to be others, in addition, named, in order to assist the existing seven, as tutors. But, my Lords, there are no outlets for persons thus appointed. There are but seven Senior Fellowships, and the whole patronage amounts to but twenty-one livings. It appears to me, therefore, my Lords, that Parliament should avail itself of this opportunity of making provision for these learned individuals. I beg leave, therefore, to propose an amendment in the nature of a clause, to the effect that twenty livings shall be selected by the two Archbishops from the livings in the gift of the Bishops of the united bishoprics, subject to an appeal to the Lord-Lieutenant, and that the patronage of these livings shall be vested in the same

two Most Reverend Prelates, to be by them exercised in favour of the Fellows of the College of the Holy and Undivided Trinity in Dublin, subject to an appeal to the Chancellor of Ireland, or, in his absence, to the Vice-Chancellor; and that, if among those Fellows there should no one be found who will accept any livings to which he might be so nominated, the two Archbishops shall then appoint some other learned and well-qualified person.

The amendment was ultimately withdrawn.

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*July 30, 1833.*

### BLOCKADE OF PORTUGAL.

The Marquis of LONDONDEBERRY having called the attention of their Lordships to the blockade of Portugal by the French, and to the inadequate notification of that blockade to the British Government,

Earl GREY contended that the blockade was, to all intents and purposes, an effective one.

*THE DUKE OF WELLINGTON* said:

My Lords, it is quite true, as the House has been told by the noble Earl, that we have been in the habit of giving great facilities to the formation of blockades, both during the war, when we frequently enforced blockades ourselves, and since the peace, when they were declared by other States. To constitute an effective blockade, it is unnecessary to say that the port in question must be actually blockaded; and, further, that notice must have been given of such blockade. No capture could be made without previously warning off vessels. There are various modes of notice; but the most authoritative manner of giving warning is through the Government of the power to be so warned. It must never be forgotten, however, that there should be certain means in existence to enforce the blockade at the time of notice. The noble Earl has truly stated that I said, at the time this blockade was announced, that it was not impossible, considering the circumstances of the action, the gentleman in question (Captain Napier) might have the means of blockading. However, on further inquiry, the matter turns out to be contrary to what I had imagined as just possible, and we have not yet heard of any port being blockaded. Several days have elapsed since the notification of blockade,

and yet up to the present hour it is not pretended that Government has received any authentic information as to the port of Lisbon being blockaded. Besides, the notification goes to a blockade of all the ports of Portugal, which could not be carried into effect by the single ship of war that escaped damage in the conflict. I believe the gentleman referred to to be an exceedingly capable officer, and as able as any man to fit out ships so as to enforce a blockade against a country which has no maritime resources; but I altogether doubt his power to blockade the whole coast of Portugal, from the Guadiana to the Minho. In my opinion, it was the duty of Government, before giving notice of the blockade, to inquire into the means that existed for carrying it into effect. Since the news first arrived, I have had time to make further inquiries on the subject. I entertained some doubts at first as to the letter of the Chevalier de Lima, and I must confess those doubts have been strengthened by reflection and examination. The letter, which is dated the 15th of July, states that the writer 'has just received orders to announce the blockade.' The Chevalier de Lima's letter is a most extraordinary one when dates are looked to. The action was fought on the 5th instant; the Birmingham steamer left the bay of Lagos on the 6th, it then went into Oporto Roads, and put an account of the action aboard a transport, but had no communication from shore; it arrived at Falmouth on the 12th, the account of the transaction reached London on the 14th, and on the 15th this gentleman says he has just received orders to announce the blockade. I do not believe that at this time there was any account but that brought by the Birmingham steamer, and it carried no advices from Oporto. It therefore appears impossible to rely on this statement with respect to the blockade. The intentions of the Government of the Regency could not have been known at the period the Birmingham steamer left the shores of Portugal, and from that time to the present no intelligence has reached this country on the subject. When the Birmingham steamer left the Bay of Lagos, Captain Napier could not, by any probability, have received instructions from the Regency to establish a blockade—the result of the action not being then known at Oporto. Notwithstanding, this letter states that the Regent has resolved on a general blockade (it being impossible that any such resolution could be known in London at the time), and that 'the Vice-Admiral Charles Ponza was pre-

paring to establish the blockade without delay ;' it being equally impossible that he could have received instructions to do so at the date of the last advice. With these facts before him, the noble Lord at the head of the Foreign Office ought to have ascertained whether the information of Chevalier de Lima was genuine or not, previously to sending the notification to Lloyd's. A notification of blockade is a very serious affair ; it enables vessels to proceed at once to make captures ; and such a power ought not to be conceded without inquiry. The letter talks of the brilliant victory achieved by a valorous and illustrious sailor, 'to the glory of the two Crowns.' Is this the proper way of addressing such a notification to the Government of this country, after the message of His Majesty to Parliament on the subject of neutrality, and after an expression of His Majesty's marked displeasure at the conduct of a British officer in engaging in the service in question ? In conclusion, I have only to urge upon the noble Earl the propriety of giving the information asked for, with a view to the further elucidation of the subject.

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*July 30, 1833.*

### CHURCH TEMPORALITIES (IRELAND) BILL.

Earl GREY moved the third reading of this Bill.

The Earl of ELDON, in opposing the motion, said he considered that the Catholic Relief Bill of the Duke of Wellington was the cause of this present measure.

*THE DUKE OF WELLINGTON* said:

My Lords, I will not be drawn into a discussion on the Roman Catholic question. That noble Earl says, that the present Bill is to be attributed to a certain measure, passed in the year 1829, upon my proposing it to Parliament. I certainly feel great reluctance on a question like that before us to enter into the consideration of the effects of a measure of that kind ; I am perfectly ready to discuss it again, but I confess that I do not see what purpose that discussion can answer. Many events have occurred since the year 1829 which might account for this measure, without referring to that year for its author, and many occurred previous to 1829 to which it might equally well be attributed. I shall therefore pass the subject by, and direct my observations

to the immediate matter of our consideration. When this Bill was read a second time, I stated that I should not oppose its going into Committee; at the same time I added, that there were many objections which I entertained to its principle. Since that period it has received, both in Committee and on the Report, several amendments, and, as was observed by my noble friend and relation, has been materially improved in some of its material points; but I freely admit that there still remains much objectionable matter in it, and much to which I am decidedly opposed in principle. In the first place, my Lords, I object, decidedly, to the repeal of the assessment of Church-rates; I doubt much the expediency of in any degree repealing that assessment except as to the mode of levying. I think that it ought to have been maintained; and I believe that it has been found difficult, if not impossible, to levy it, principally on account of the conspiracy existing in Ireland. That conspiracy exists still. Acts of Parliament have been passed for its suppression, but I doubt much whether it has been overcome, and whether the Government feel themselves strong enough to carry into execution any measure which is to restore to the clergy that description of property which goes under the name of tithes. That property is now destroyed, owing to the efforts of that still, as I believe, unsubdued conspiracy. I say, therefore, that I doubt much whether those Church assessments ought to have been abolished. But if it were necessary that they should have been, as regards the people, the Church ought not to have been made to pay all the expenses. That intention of the Bill cannot be carried into execution. I object also, my Lords, strongly to the sale of perpetuities of Bishops' estates. The condition in which the Church of Ireland stands towards the people of Ireland, and of this country, is by that provision materially deteriorated. Another objection which I have to the Bill is, that it unnecessarily puts an end to many bishoprics—that it even abolishes more than are necessary for its own purposes. I freely confess that it might be desirable to put an end to some sees in Ireland; but to do so with others, for the purpose of raising money in order to relieve the country from the payment of assessments for the support of Divine worship, is far from desirable. Another part of the arrangement to which I have a very great objection is that which goes to levy a tax upon the clergy according to a graduated scale of taxation. The noble Earl who introduced this measure to the House, in

opening his case, stated that he founded this system of taxation upon a system of revaluation of the first-fruits; and added, that the amount to be derived by it was, in fact, equal to what would have been derived by the payment of the real first-fruits, according to the new valuation. Nothing can be more unjust than this system; for, even under a new valuation of first-fruits, every clergyman would be but required to pay, once for all, the value of his living during the first year that he had taken possession of it; that is to say, the clergyman having a living of 300*l.* a-year would pay 300*l.*; if one of 500*l.*, he would pay 500*l.*; and if 1500*l.*, he would have to pay 1500*l.* But how is this new tax regulated? The clergyman with 300*l.* a-year pays 2½ per cent.; and the clergyman with 1500*l.* pays 15 per cent. The taxation should be uniform, and the amount per cent. to be levied the same for all livings, of whatever value. If the noble Earl thought proper to relieve the lower classes of the clergy from the payment of the full amount of the tax imposed on them, he would be at perfect liberty to do so; but he ought not to charge those with larger means more than their fair proportion. To a provision of that description, declaring that the fund to be raised was to be applied to the augmentation of small livings, the building of churches, or to other excellent purposes, I could have no objection. But a proposal of the description before us, which levies on clergymen of the higher class, as compared with those of the lower, a much heavier tax than the difference between the situations of the two parties can justify, I can never sanction. Your Lordships must recollect that the public are interested, and very materially, in this point, inasmuch as the larger the amount of the tax, the greater will be the reduction in the value of their livings to the clergymen. It is a public object of great importance that men of education and character should be induced to enter the Church. The inducement which operates is, the hope of obtaining some large emolument. It is true that may still be obtained under this Bill, but subject to what amount of tax?

My Lords, I cannot, then, but feel that this measure, in a variety of details, is exceedingly injurious to the Church; and I have no doubt whatever that some measures must be proposed, in order to relieve the Church from some of the burdens that are imposed on it. But, notwithstanding that I disapprove highly of many of the details, it is impossible for me, with the opinion which

I entertain of the necessity of passing some measure of this description, to refrain from concurring in the proposal for its third reading. The more I consider the situation of the Church of Ireland, the more am I convinced of the necessity of agreeing to it. The clergy have received no tithes for the last three years, and it depends, indeed, on a vote of this, or the other House of Parliament, whether they are to receive subsistence or not. On the other hand, the Bishops in Ireland, owing to an arrangement made last Session of Parliament, have not this year received the fines usual on the renewal of their leases, which form two-thirds of the amount of their incomes. These, my Lords, are the burdens under which the Church of Ireland labors, and to which others are now to be added ; but I cannot conceal my apprehension that, if something be not done to relieve the Church from the overwhelming pressure, no Church of Ireland will exist in the course of a few years. Your Lordships will, perhaps, ask me, whether this measure is likely to give security and tranquillity to Ireland ? I will not take on myself to answer that question. It is impossible for me to say that it will give either. Of this I am certain, that sooner or later it must be altered in favour of the clergy. In the mean while it gives the Church a little breathing-time, and enables it to continue its beneficial labors to the inhabitants of the country. My Lords, it may be said that, if the measure contain so many objectionable parts as I have stated, we ought to reject it. My opinion, however, is, that we ought to do that which is best for the Church, that which will enable us to keep possession of the Church—to maintain the Church in existence ;—and that we have then done our duty to it.

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*August 1, 1833.*

#### EMANCIPATION OF THE JEWS.

Lord BEXLEY moved the second reading of the Jewish Civil Disabilities Repeal Bill.

After considerable discussion,

*THE DUKE OF WELLINGTON* said :

The noble and learned Lord on the woolsack, and the Most Reverend Prelate (the Archbishop of Dublin), have both stated that they cannot understand the distinct principle upon which the opponents



of this measure rest their opposition to the admission of the Jews to seats in the Legislature. Now I beg the noble and learned Lord, and the Most Reverend Prelate, to recollect that this is a Christian country and a Christian legislature, and that the effect of this measure would be to remove that peculiar character. Your Lordships have been called upon to follow the example of foreign countries with respect to the Jews; but I think that, before we proceed to legislate on such a subject as this, it is indispensable that the necessity for the introduction of the measure should be shown. I ask, what case has been made out to show a necessity for passing this measure? When your Lordships passed the Bill for the removal of the Roman Catholic disabilities, and for the repeal of the Test and Corporation Acts, the reason assigned was, that it was unnecessary to keep up the restrictions on the classes of Christians affected by those Acts. But there is a material difference between the cases of the Dissenters and Roman Catholics, and the Jews—the former enjoyed all the benefits and advantages of the Constitution before the restrictions were imposed. Was that the case with the Jews? Were the Jews ever in the enjoyment of the blessings of the English Constitution? Certainly not. The Jews were formerly considered as alien enemies, and they were not allowed to live in this country, I think from the time of Edward I. to the period of the Commonwealth. It cannot, therefore, be said that the question of the Jews can be put on the same ground as the claims of those of any class of Christians in the country. The noble and learned Lord on the Woolsack has referred to a certain Act of Parliament which passed, giving certain privileges to the Jews, and which, he said, was in the very form of words proposed in this Bill. It is true that this Act conferred benefits on the Jews, but then it must be recollected that it was confined in its operation to certain of the colonies: in the first instance to Canada, and subsequently to Jamaica and Barbadoes, and others of the West India colonies. But, then, was there not a very good reason for this? European inhabitants were much required in the colonies at the time the Act passed; and this was to give encouragement to the Jews to go thither and settle. No such necessity exists now with regard to this country,—we do not wish Jews to come and settle here. Not one word has been said to show that any necessity exists for passing this measure. The noble Lord who addressed your Lordships early

in the debate adverted to the state of the Jews in France. I entirely agree with the illustrious Duke near me, and the Right Reverend Prelate, that this country is not bound to follow the example of foreign nations in legislating for any portion of the community. But it ought not to escape attention, that Bonaparte, in legislating for the Jews, did not go the full length of this Bill ; and before he did anything for them, he ordered a strict inquiry into their case to be made. I ask, are your Lordships prepared to assent to this Bill without any inquiry being instituted as to its necessity, or without any reason being assigned ? This Bill is not the result of inquiry, but it has been introduced on a very different principle,—namely, because it suits the liberal opinions of the day.

The noble and learned Lord on the Woolsack has endeavored to show that, by retaining the words ‘ upon the true faith of a Christian ’ in the Statute-Book, you encourage men who have no regard to the obligation of an oath, and thus maintain hypocrisy, while it operates as a restriction on conscientious persons. ‘ You admit,’ says the noble and learned Lord, ‘ men like Mr. Wilkes, Lord Shaftesbury, or Lord Bolingbroke, but you shut out conscientious men who will not take the oath.’ I am prepared to allow that there are some men whom no oath or affirmation can reach ; but this is no reason why we should give up every test and oath. Are we on this account to throw aside every guard for the maintenance of Christianity in the country ? The Right Reverend Prelate has stated very clearly and plainly the reasons why we should not pass this Bill—namely, that this is a Christian country and a Christian legislature—and that therefore the Parliament, composed as it is of Lords Spiritual and Temporal, and Commons, cannot advise the Sovereign, as head of the Church, to sanction a law which will remove the peculiar character from the legislature—I say, that we cannot advise the Sovereign on the Throne to pass a law which will admit persons to all offices, and into the Parliament of the country, who, however respectable they may be, still are not Christians, and therefore ought not to be allowed to legislate for a Christian Church. The noble Marquis, for whom I entertain the highest respect, seemed surprised that I smiled when the noble Marquis spoke in somewhat extravagant terms of the distinctions which have been acquired by these persons in foreign countries. I must apologize to the noble Marquis

for having smiled at that moment, but it certainly appeared to me that the noble Marquis was rather extravagant in his praise ; and I may be allowed to add, that I have never been so fortunate as to hear of these persons being in the stations which he described. The noble Marquis stated that there were no fewer than fifteen officers of the Jewish religion at the battle of Waterloo ; I have not the least doubt that there are many officers of that religion of great merit and distinction, but still I must again repeat they are not Christians ; and, therefore, sitting as I do in a Christian legislature, I cannot advise the Sovereign on the throne to sanction a law to admit them to seats in this House and the other House of Parliament, and to all the rights and privileges enjoyed by Christians. The noble and learned Lord on the Woolsack said that, when the observation is made that Christianity is part and parcel of the law of the land, it is meant that that Christianity is the Church of England. Now, I have always understood that it was the Christian dispensation generally ; and I believe that, when Christianity is talked of as part and parcel of the law, it means the Christian dispensation, and not the special doctrines of the Church of England. For these reasons, I see no ground whatever for passing the Bill ; and shall, therefore, vote against it.

On a division, the Bill was lost by a majority of 104 to 54.

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*August 9, 1833.*

### EAST INDIA SLAVERY.

In Committee on the East India Company's Charter Bill,

Lord SUFFIELD having described the condition of the slaves in the East Indies, and especially in Malabar, as most deplorable,

*THE DUKE OF WELLINGTON* said :

The noble Lord has enlarged much upon despotism and tyranny,—abuses which I am no more in favor of than the noble Lord. All I want is to uphold the ancient laws, customs, and religion of the country. This has been the principal point observed with all former Governments, and I therefore trust that the present Government will not make violent innovations in the best institutions and customs of India. The proposed change, requiring the Governor-General to send over to England drafts of all

measures which may be considered tending to abolish slavery, I regard as altogether uncalled for. I have never known a single instance of cruelty in Indian proprietors towards their slaves, and there are many other noble Lords who have, like myself, served in India, who can afford the same testimony. The instance quoted of peculiar cruelty in Malabar has more reference to difference of caste than to slavery. There is hardly a family in India which is without domestic slaves; certainly there are no Mussulman families which have not female slaves, and any attempt to deprive the Indians of their slaves would inevitably produce the greatest dissatisfaction, if not absolute insurrection.

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*August 12, 1833.*

### ABOLITION OF SLAVERY.

The Earl of RIFON moved the second reading of the Abolition of Slavery Bill.

Several Peers having addressed the House on the question,

*THE DUKE OF WELLINGTON* said:

There is one point in which I agree with the noble Earl who has just sat down (Ripon), that when the Government took the lead on this question, and proposed the abolition of slavery in the West Indies, there could be no doubt that some measures must be taken for that purpose. But, my Lords, I deny—I positively deny—that, when His Majesty's Ministers commenced these measures, the question was in that state which called for them; I say that it was not necessary to bring the question forward in this shape, or in anything tending to this shape, but that their duty would have been to induce, or to try to induce, the Colonial Legislatures to take some further steps towards the improvement of the slave,—towards imparting to him some more social habits, and encouraging him to become more industrious, in order thereby to bring the colonies to that state in which it would be advantageous and safe to all parties concerned to restrict them to free labor. Instead of thus acting, what have the noble Lords opposite done? They have taken the lead on this question, and forced us on to this discussion, insomuch as it is true that we have now come to that state of it in which it is impossible to recede, impossible to stand still, and dangerous to move forward in the direction to which the

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noble Lords point. The noble Earl, in reviewing the arguments of my noble friend, has stated that my noble friend admitted the necessity of putting down slavery. My noble friend stated, not that Jamaica, or any one of the colonies, would attain its full state of prosperity so long as slavery existed, but he pointed out, most clearly, the great dangers by which these present measures are surrounded; he particularly pointed out the little prospect that the slaves, or the most industrious people that could be introduced in their stead into the colonies, would labor to any extent so long as their numbers remained at the present amount. He showed that the provisions necessary for the use of the inhabitants are obtained with but little labor; those required for the plentiful supply of the whole colony of Jamaica, which consists of 400,000 persons, being the produce of 30,000 slaves working for six months in the year. The noble Lord says that the very existence of the state of slavery is fraught with danger; that it contains all the essential elements of rebellion. But let me ask him, are we not equally likely to have rebellion when we arrive at this proposed substitute of master and apprentice? Let me assure him that, if great care be not taken, and measures of strong precaution adopted, we shall, by the operation of this Bill, be placed in a situation in which we shall be forced to resort to the destruction of the blacks.

The noble Lord has likewise founded an argument upon what was stated by my noble friend in reference to the transfer of the power of inflicting corporal punishment on the apprentice from the master to the magistrate; but he has not referred to the whole of my noble friend's argument. My noble friend asks, what would become of the master in this country if he had not the power of dismissing his servants; but, in addition to this, it should be recollected that the law of the land gives a positive power of punishment to the master over the apprentice. But by this Bill the master in the colonies has neither of these powers. He cannot dismiss the servant, even if worn out and disabled; he must keep him to the end of the six years, providing him with everything that the Legislature may require. And then, in the case of disobedience or insubordination, he cannot inflict any punishment on his apprentice, he can have no redress but by seeking it at the hands of the magistrate,—of one of those hundred magistrates for the thirteen colonies. Why, my Lords, I venture to assert that one

hundred magistrates for Jamaica alone would not be sufficient. I cannot but think that the noble Lord, when he addressed your Lordships, ought to have entered into some further considerations in respect to the operation of this Bill; that he ought to have stated for what reason the measure has undergone such material alteration since it was before under the consideration of your Lordships; and on what grounds has been adopted this particular mode of carrying into execution those parts of it which refer most particularly to the advantage of the planter.

I have already stated that it is my opinion—I am certain that it was the intention of Parliament, when the first resolution was passed in the year 1803—that this measure ought to have been adopted gradually, that the Government ought to have employed itself in endeavoring to conciliate the colonies, and to induce them first to take steps for ameliorating the condition of the slaves, and then to adopt measures in concert with the Government to carry the intended emancipation into effect. That course the Government ought to have followed, instead of putting themselves at the head of those who recommended a different one, and this they ought to have done from regard to the great interest which this country has in the possession of those colonies, on account of the great private interests of its individual merchants, on account of the interests of the proprietors of the soil, and particularly of those of the negroes themselves.

What my noble friend says is perfectly true, and all experience goes to prove the fact, that it cannot be expected that the negroes—ay, or any class of persons whatever—in their present numbers, will work regularly at agricultural labor under those climates in which they are placed. The result of experience is uniform, whether in reference to the United States of North America, to Columbia and all the other provinces on the Spanish Main, to Hayti, to Guiana, to the West Indies themselves; it invariably confirms the general assertion that slaves spread in small numbers over large fertile tracts of country will not work unless forced. It appears that the uniform testimony of these countries, from the commencement of our acquaintance with them, has been the same in respect to regular labor at agriculture, and that the production of this particular description of produce has been accomplished solely by coerced labor. Unless, therefore, that system be carried on, I say that this country will sustain a vast loss,



as well of revenue as of the profits of commerce. The Government, when they introduced this plan, ought to have endeavored as much as possible to conciliate the colonies and secure their co-operation ; they should have listened to that advice which it was the desire of every one in the interest of the colonies, and of all persons called proprietors of the colonies, to prevail on them to follow,—namely, instead of enacting a law by which to force these measures on the colonies, to try to persuade them to adopt them, by passing a resolution which should ensure to the colonies, in case any loss of property attended their adoption, that such loss should be compensated for and made good by a certain sum of money ; but that it should be left to the colonies themselves, aided by the advice of His Majesty's Government, and superintended by Commissioners of His Majesty, to carry them into execution. It was with the view to a course of this description that I consented to the resolutions adopted by this House on a former occasion. I then urged it on his Majesty's Government. Instead of following it they have brought forward this Bill, which, though certainly much better than that which has gone out to the colonies, bears with it, in every part, a character of harshness and violence, such as I cannot conceive that the colonies will accept or their Legislatures carry into execution. In the first place, it is totally different from that opened by the noble Lord on a former occasion. In the course of the few words stated to your Lordships this evening he pointed out in what particulars a great change had taken place. He said that the period of apprenticeship was altered from twelve to six years. It is called seven, but it is only six years, being from the 1st of June, 1834, to the 1st of June, 1840, for prædial laborers ; or to the 1st of June, 1838, for non-prædial laborers.

It appears that there are to be three descriptions of apprentices, prædial attached, prædial unattached, and non-prædial. But it is provided that no person of the age of twelve years or upwards shall be included in either of the two classes of prædial laborers, unless for twelve months previous to the passing of this Act such person shall have been habitually employed in agriculture or in the manufacture of colonial produce ; and by a previous clause all children under six years of age are declared immediately free. But there is another description of children of whom no account seems to be taken, namely, children between the ages of six and

twelve years, who have not been habitually employed for twelve months as prædial slaves. I should wish to know what is to become of this class? I know a gentleman who has no fewer than sixty of these children on his estates; and in what capacity is he to employ them? Again, my Lords, the 3rd clause declares that slaves brought into the United Kingdom, both heretofore and hereafter, with the consent of their possessors, shall be free. According to the present law, the slave who comes to England is free during his stay; if he return he is no longer free. Pass this Bill, and all slaves in this condition, and that slave in particular on whose case the celebrated decision of Sir William Scott was given, will be emancipated at once and immediately. These are important alterations made in a measure within two months since it was introduced by the noble Earl. And then, again, I cannot help thinking that the clause which enables the Colonial Legislatures to enact laws to carry this measure into effect is too restrictive. In empowering those Legislatures thus to provide, we should, in order to induce respect and obedience towards them, endeavor to raise their character and support their authority, by giving them full latitude in this respect, at the same time instructing the governors of the respective islands as to the measures which we wish them to adopt, and assuring them of compensation for any loss they may suffer by the adoption of our suggestions.

Another part of the subject which I cannot refrain from noticing is the question, when the compensation granted to the body of proprietors on account of their loss is to be made? It is usual in granting money to raise it at once, though not to issue it until the end for which it is required has been performed. Let this course be adopted here; let the money run at interest for the benefit of the proprietors until such period, in order that the transaction may appear a real, *bonâ fide* one. I beg your Lordships to read the enactments by which the raising of this money is provided for, and I think you will perceive that the whole arrangement is provisionary,—that it merely declares that the Lords of the Treasury may raise certain sums at certain rates of interest. If they be read in connection with those which subsequently appoint certain Commissioners, it is perfectly clear therefrom that no expectation is entertained of paying one single portion of the money until the period of apprenticeship has expired. My Lords,

I have strong doubts as to the propriety of that distribution of the money which is proposed. The proprietors of estates in Jamaica think that it should merely be divided by the head. In Demerara a slave is more valuable and will sell for more than in Jamaica. The soil is far superior, the work less in Demerara; and, owing to the facilities of labor, it is probable that he will work there, though not in Jamaica. Indeed, in the former not the tenth part of the labor is required that is necessary to raise the same amount of produce in Jamaica. Again, in Demerara all carriage, all transport of produce, is by water,—not, as in Jamaica, by land. It is much more probable, therefore, that the slave will continue to work after he shall have become an apprentice in the one than in the other place. The fairer mode would be, then, to divide the money by the head, according to a certain proportion for each colony, and to make a grant to each according to the number of slaves found on its registry at a certain day, provided enactments were prepared suitable to the instructions sent to the colonies by His Majesty's Government. Nothing would be more easy of accomplishment; the money would be fairly divided, his Majesty's Government would acquit itself of all its engagements, and this country, as soon as the laws were passed and the money paid, would have discharged its duty. Under the system adopted by the Bill a set of Commissioners are to be appointed, at an enormous expense, to these unfortunate colonists, which Commissioners are to have the power of visiting not only each colony, but each individual claimant. There is to be appeal on appeal without end; insomuch, that I defy any man to point out the probable termination of the litigation that will arise. I have often heard it said that the office of Privy Councillor was a sinecure; but if he sit to hear one-half, nay, one-tenth, of the appeals that will be caused by this measure, he will do more than any other public officer.

There is another point on which I must speak—I mean that relating to the portion of the time of negro apprentices' labor of which the master is to be deprived. These two hours and a half will affect the produce to the amount of at least one quarter. I say at least, because there are in all the colonies, and in Jamaica more particularly, many plantations on which there is much machinery; and, in calculating the loss that will be incurred by the planter in consequence of being deprived of one-fourth of the

labor of the slave, we ought to add one-fourth of the produce of that machinery. However, taking it in round numbers, there will be a diminution to the amount of one quarter of the whole produce. Have the Government the means of making up the deficiency that will thereby be occasioned in the revenue—the duty being supposed to remain the same? I will assume that the proprietor pays for this quarter—that the expense of providing for this diminution is borne by him. Now, the whole labor of 800,000 negroes may be estimated at about 9*d.* per head per day; therefore he will have to pay 2½*d.* a-day to each negro for his labor during that quarter of a day of which this measure deprives him. I have before me an account of the cost and produce of one estate in Jamaica, and I see from that that the payment of the negro on that estate is 2½*d.* a-day. Therefore to keep up the produce at its present amount would cost the proprietor in this case the whole of his rent. If he is, then, to procure the same produce, and thereby provide the same revenue as before, he must be at an expense of outlay equal to this whole rent. I ask your Lordships if this be that protection to the property of these individuals which this House and His Majesty's Ministers ought to afford to every British subject?

I come now to the 61st clause, by which the Act 52 Geo. III. c. 155, is to be forced on the colonies. Your Lordships are aware that that is an Act passed in the year 1812, to extend toleration; and that, in certain cases, it imposes penalties. This is an interference with the internal concerns of the colonies which is expressly contrary to previous Statutes, in particular to the 18th Geo. III. The principle of those Acts, and the spirit in which they have always been regarded, has been that no law should be passed by this country affecting any colony with a legislative assembly, except in regard to external commerce. The Act 52 Geo. III. was passed, and has always been put into operation, as an Act of toleration. The colonies feel that they have reason to complain of sectarians; and the imposition of that Act upon them is not the granting of an Act of toleration, but the forcing of an Act of encouragement of those from whom the colonists have had, and have still, much to apprehend. But the main clause, relating to the new condition of existence which you confer on the slave, is not less liable to exception. It is a clause of delusion—it is a clause which is perfectly insufficient for the purpose for which it is

to be applied, and one which is entirely needless ; and I say, my Lords, therefore, that it is a clause which His Majesty's Ministers ought never to have introduced into this Bill.

May I beg your Lordships to listen for one moment to the opinion of a man who has seen the effect of a measure of this description,—an opinion in which I know some of the best, the most liberal, and the most humane men in the United States entirely concur. General Harper, who witnessed experiments of this description in America, says,—

‘ In reflecting upon the advantages of a plan for classing people of color with the other inhabitants, it is natural that we should be first struck by its tendency to confer benefits upon ourselves, by ridding us of a population for the most part idle and dissolute, and too often vicious and profligate.’

After some remarks on their former condition, he adds,—

‘ But we can never help treating them as our inferiors, nor can they help considering themselves in the same light. Be their industry ever so great, be their conduct ever so irreproachable, whatever means they may acquire, or whatever respect we may feel for their character, we never could conciliate them, and they never could love us.’

This is the account of one of the most liberal gentlemen in the United States. My Lords, after this measure had been adopted, and after the slaves had been restored to a state of equality with the remaining portion of the population, with this evidence before us, and with our idea of the state of society which must afterwards exist, I leave your Lordships to judge of the effect of this proceeding. Matters of this description are fit subjects, not for external, but only for internal legislation. This is legislating for the colonies on topics with which we really have nothing to do, and with which we have no right to interfere. Suppose this country had passed an Act previous to the Union with Ireland declaring that Catholic Emancipation should be adopted in that country. What would the noble and learned Lord opposite have said ? My Lords, he would have deprecated it as a most improper and uncalled-for interference ; but I really do not see why the same arguments which would have been directed against such legislation for Ireland at that period are not equally applicable to our legislation for the colonies in 1833. I entreat your Lordships to remove these clauses from the Bill, to which it is really impossible to agree.

Bill read a second time.

*August 14, 1833.*

On the first clause being read,

**THE DUKE OF WELLINGTON** said:

I have an amendment, my Lords, to propose to this clause ; but before I proceed to do so I am anxious to refer to what took place on a former occasion, when I stated to your Lordships that I considered the West India proprietors had great reason to complain of the alteration which had been made in this Bill by the reduction of the period of apprenticeship from twelve years to six and four years. The noble and learned Lord on the Woolsack, on the occasion to which I have referred, took upon himself to contradict what I stated ; and he said that the reduction of the period of apprenticeship from twelve to six years had been occasioned by the circumstance of the augmentation of the loan of 15,000,000*l.* to a gift of 20,000,000*l.* But, my Lords, I contend that, looking to the whole of the discussions which have taken place, the sum in question was never intended to be considered simply as a loan to the proprietors, but a loan on account of the negroes. I believe your Lordships would have objected to such a loan to be repaid by the West India proprietors ; it was intended to be repaid by the labor of the negroes. But we know that it was first converted into the shape of a gift to the proprietors of estates in these colonies, and was afterwards augmented from 15,000,000*l.* to 20,000,000*l.*

With respect to the facts as they have transpired in the discussions on this Bill, there has been nothing like a reference to dates ; dates, however, must be right—there can be no doubt about them ; and it will appear, from reference to these dates, that the noble and learned Lord was wrong in the statement he made last night. The advance in question was first stated to be a loan of 15,000,000*l.*, then it was made a gift, and was raised from 15,000,000*l.* to 20,000,000*l.* ; it is an incontrovertible fact, that it was not until within the last fortnight that the period of this apprenticeship was reduced, or any statement was made of there being a probability of its being reduced, from twelve years to six and four. I must say, therefore, under these circumstances, that the noble and learned Lord was mistaken in the statement he made upon that, as well as upon another point, last night. Now, my Lords, the first occasion on which this matter was discussed

was on the 25th of February last, when a deputation of the West India proprietors waited upon the noble Earl then Secretary for the Colonies (the Earl of Ripon), and the sum of 15,000,000*l.* was proposed to them as a loan; that was the basis on which the matter then rested; and at that time certain arrangements were made in order to induce a noble Lord to forego a motion that was about to be submitted to this House. On the 2nd of May the deputation communicated with the Right Honorable Gentleman who now so ably fills the office of Secretary of State for the Colonies. On the 14th of May that Right Honorable Gentleman opened his plan to the House of Commons, and he spoke of this 15,000,000*l.* as a loan; he stated further, that his reason for fixing the amount at 15,000,000*l.* was because the present profits of these estates were estimated at 1,500,000*l.* annually, and the sum to be granted was taken on the scale of ten years' purchase of those profits, making the amount 15,000,000*l.*; and that it would be for Parliament to consider whether it might be made a gift. On the 3rd of June it was proposed that the amount should be raised from 15,000,000*l.* to 20,000,000*l.* On the 10th of June the Right Honorable Gentleman the Secretary for the Colonies made his motion for fixing the amount at 20,000,000*l.*, and the period of apprenticeship was still stated at twelve years, nothing being said as to diminishing it to six and four. On the 12th of June the Resolutions were passed by the House of Commons, and submitted to this House; and on the 25th of June the noble Earl opposite submitted his motion that your Lordships should agree with the Commons in those Resolutions, when it was again stated that the period of apprenticeship was to be twelve years, and the gift 20,000,000*l.* On the 5th of July the Bill was brought in; on the 22nd of July it was read a second time; on the 24th of July the original proposition was passed, upon a division; and upon the 25th of July it was that the change took place, and the period of apprenticeship was reduced from twelve years to six and four. I thought it necessary, my Lords, to go into this statement, because I thought I was contradicted, unnecessarily, by the noble and learned Lord, when he stated that the gift of 20,000,000*l.*, and the curtailment of the proposed term of apprenticeship, had been propositions dependent upon one another.

The amendment which I shall propose is not conceived with a view to prolong or to shorten the period of apprenticeship. I

understand that the crops are collected in the West Indies between the months of June and January ; consequently, that this is the period at which it would be most inconvenient to the proprietors of estates to have any change made among the persons who labor upon them. Under these circumstances the planters are exceedingly anxious that the period of apprenticeship shall not commence till January, 1835, at the same time that they are willing it should not continue beyond January, 1840. I therefore propose to introduce into the clause words declaring that the commencement of the apprenticeship shall not take place till the 1st of January, 1835, and that it shall not continue after the 1st of January, 1840, instead of commencing on the 1st of June, 1834, and terminating on the 1st of June, 1840. This will give an apprenticeship of five instead of six years.

Amendment withdrawn, in favor of another amendment by Lord ST. VINCENT.

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August 15, 1833.

In Committee on this Bill, on Clause 33 being read,

**THE DUKE OF WELLINGTON** said :

We have now arrived at a part of the Bill to which I certainly entertain very strong objections. On a former occasion I expressed an opinion that the mode in which it is proposed to distribute the compensation money was neither the most just nor the most eligible that could be adopted. That opinion remains unchanged. I still contend that the compensation given to the different colonies ought to be regulated, not by the value, but by the number of the slaves in each. The amendment which I shall propose will be to leave out all the clauses from 33 to 45 inclusive, allowing clause 44 to remain, and in their place to insert two new clauses to the following effect :—first, that the number of slaves belonging to or settled in each of the nineteen settlements or colonies shall be ascertained according to the Returns made at the Registration Office, and that the compensation sum of 20,000,000*l.* shall be divided into nineteen different shares, in proportion to the number of slaves in each colony or settlement ;—and, secondly, that the Local Legislatures shall be desired to make such other provisions and regulations for dividing



in proper proportions the said sum of 20,000,000*l.* among the persons thereto entitled as shall be according to the laws of the different colonies.

Amendment withdrawn.

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*August 23, 1833.*

### RENEWAL OF THE BANK CHARTER BILL.

The Earl of RYON having moved that this Bill be committed,

*THE DUKE OF WELLINGTON* said:

I perfectly agree with the noble Earl that it was quite right that His Majesty's Government should renew the Charter of the Bank of England, and also that it was quite right that in doing so they should not bear too hard upon the Bank. I do not entirely agree, however, with the noble Earl in thinking that the Bank has been treated with quite so much forbearance as he seems to suppose; and I can assure the noble Earl that the Bank is of my opinion in that respect. Still I do not think the deduction of 124,000*l.* from the profits of the Bank unfair; but those who wish that the Bank of England had been more pressed by His Majesty's Government may, I think, rest satisfied that Government have gone as close to the wind in their arrangement with the Bank as they were justified in doing. The point of the Bill to which I principally object is that which, under certain circumstances, makes Bank of England notes a legal tender. I always have maintained, and I always shall maintain, that the only proper basis of our money system is a solid gold circulation. Upon that basis I considered our monetary system fixed since the measure of 1819, followed up as that was by improvements in 1826; I really think the principle of those measures the best that can be applied to our circulation. Detailed payments being made in gold, the larger payments might be made in paper, and depend on credit:—the true support of the credit of whatever paper might be in circulation being, that it is liable to be paid in gold on demand at any time, at the Bank of England, or at the branch banks of the Bank of England; so that, if any man chooses not to give credit to the Bank of England, he has only to demand gold for his paper; or any creditor may at once demand from his debtor payment in

solid coin. That, however, will, to a certain extent, not be the case under this Bill. I am aware that eventually the holder of the paper can repair to the Bank of England and demand gold; but, in the first instance, the creditor cannot demand gold as heretofore, and must therefore give credit to somebody for the amount. That I consider a depreciation of the paper of the Bank of England. It is a depreciation to which, if I had been a Bank Director, I would never have consented; indeed, I cannot understand why the Bank agreed to this proposition. I am persuaded that ere long great inconveniences will occur from the provision; and those inconveniences will be felt in a depreciation of Bank paper. What is the object of the arrangement? It is either intended to give the Bank a power of issuing paper which under the existing system it does not possess, or to facilitate credit generally throughout the country, and enable the country banks to undertake operations which they could not otherwise attempt. It is evident that the noble Earl himself sees that the consequence will be to facilitate and increase the issues of the country banks. That will augment all transactions; and the result must be a great increase of prices, and the ruin of many individuals. Nothing of this kind would happen if the present system were continued; namely, if the Bank of England continued to issue the number of its notes which the necessity of the public might seem to require, and, by the regularity of its proceedings, gave such a check to the issues of the country banks as should be calculated to establish a sound and healthy circulation. Under the existing system the Bank would proceed so as to prevent the country banks from giving credit, except in cases which justified the accommodation, and the circulation and commerce of the country would continue in a wholesome state. There are some parts of the arrangement on this subject which seem to me to be not quite regular. A note issued by the Bank of England can be paid only at the Bank of England, and not at the branches; whereas a note issued at one of the branch banks of the Bank of England can be paid both at the branch bank and at the Bank of England also.

With respect to the legal tender, the clause was altered in the House of Commons, and the effect of the change is to make Bank of England notes a legal tender for sums exceeding 5*l.*, instead of for 5*l.* and upwards; so that, in point of fact, notes will only be a legal tender for sums not below 10*l.*, the Bank issuing no inter-

mediate notes between 5*l.* and 10*l.* The noble Earl has indeed said that by the Bill a 5*l.* note and two sovereigns would be a legal tender for 7*l.*; but in that supposition I believe that the noble Earl is mistaken. Now suppose the country bankers should issue no notes of less than 10*l.* in value. Why, indeed, should they? Under this Bill, if a holder of one of these notes went to the country banker, he might be refused gold for the note, except at a premium of 5 or 10 per cent. Go to such a banker with a 10*l.* Bank of England note; he will give you another 10*l.* note or two 5*l.* notes; but if you ask him for change he will charge you 5 or 10 per cent. premium for gold. This would soon produce inconveniences greater than ever existed in any part of the world.

The Earl of ROSSLYN.—Such inconveniences have existed in Ireland.

*THE DUKE OF WELLINGTON:*

They may have existed in Ireland, but nowhere else; and, whether they ever before existed or not, I object to the principle, which I think wrong. These are my objections to the legal tender clause. I shall only add that I am glad Parliament has the power of putting an end to that part of the arrangement. I am now come to the first part of the noble Earl's statement, to which I confess that I have some objections—I allude to the establishment of banks of deposit in London, or within sixty-five miles, by more than six partners. It was certainly, in the first instance, intended by His Majesty's Government that such banks should not be established, because they supposed that, according to the old system, they could not be established under Act of Parliament. That Act was considered law for a hundred and fifty years, and therefore His Majesty's Government originally consented to a provision to continue to the Bank of England the privilege of not being interfered with by such banks of deposit within the limits assigned in the Bank Charter. Before, however, the Bill had gone through all its stages elsewhere, it was discovered that that which had been law for a hundred and fifty years was not law. An Honorable and Learned Gentleman made the discovery, and formally stated his opinion on the subject. It is a point, certainly, on which I have no pretension to judge; consequently I can offer no opinion: but His Majesty's Government, without attempting to ascertain in a proper manner what is the law on the subject, introduce a clause declaratory of the law as they apprehend it, and reverse the con-

struction of a hundred and fifty years. I say, my Lords, on that discovery being made and communicated to the Government, a clause was introduced into the Bill which was stated by the authors of the Bill to be merely declaratory of the law, but which the other party maintained to be an enactment contrary to what was understood to be the law for a hundred and fifty years. That is not fair towards the Bank. The great question is, however, whether the change which this clause will necessarily occasion may not be very injurious, not only to the Bank of England, but to the public. There can be no doubt but that it will greatly derange the present system—a system which has for above a hundred years given security to the public in a manner that has afforded general satisfaction. But that is only a part of the consideration. At present the large deposits placed in the hands of private bankers cause large deposits to be placed by those private bankers in the Bank of England, a circumstance attended with great advantages to the bank and to the public. When the banks of deposit are established, however, those large deposits will no longer be placed in the hands of private bankers, and the private bankers will no longer place large deposits in the Bank of England. This exhaustion of the private bankers may be followed by very serious consequences. What was the principal cause of the misfortunes of 1797? Not our large expenditure abroad, but the loyalty loan, which took such large sums of money out of the hands of private bankers, and thereby greatly distressed both the private bankers and the Bank of England. In my opinion this part of the Bill will do more injury to the Bank of England than any other part of it. I understand the Bank has acquiesced in this as well as the other arrangements submitted to it, but I very much fear this system will be most injurious to the Bank; and, thinking it not at all desirable to encourage banks of deposit on the principle laid down, I must decidedly oppose the plan.

The Bill went through Committee.

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August 26, 1833.

In Committee on this Bill,

**THE DUKE OF WELLINGTON** said :

I must object, my Lords, to the legal tender clause, it being my opinion that this clause will have the effect of improperly

increasing the amount of country bank-notes in circulation. I do not understand why the country banks have required such a boon at the hands of the Bank of England. It is my conviction that this proposition will have the result of establishing an agio that will be anything but beneficial to this country. I propose, my Lords, to insert in this clause the words 'ten pounds,' instead of the words 'five pounds.'

Amendment negatived.

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[SECOND SESSION OF THE ELEVENTH IMPERIAL PARLIAMENT.—  
FOURTH WILLIAM IV.]

*February 4, 1834.*

#### ADDRESS TO THE CROWN.

The Duke of SUTHERLAND having proposed, and Lord HOWARD of Effingham having seconded, the Address in answer to the Speech from the Throne,

*THE DUKE OF WELLINGTON* said:

I do not dissent either from the Speech from the Throne, or from the Address which has been moved in reply to it, and which has been so ably developed by the noble Duke and the noble Lord opposite; but it is impossible for me to listen to a Speech from the Throne, adverting to such topics as are touched upon in the Speech we have heard to-day, without addressing a few words to your Lordships upon those subjects. With reference to that Speech, I must say that it certainly does contain as little as any Speech that ever was addressed to Parliament. It is quite impossible for any man to make up his mind, from the tenor of that Speech, that it is the intention of His Majesty's Government to bring forward—as a Government—any one single measure, on any one of the topics adverted to in it. The noble Lord who spoke last has, indeed, stated that, upon some of those topics, measures are to be introduced by His Majesty's Ministers; but, my Lords, the noble Lord must have made that discovery in consequence of some communication with the Government; for I defy him to show, either by the Speech from the Throne itself, or by the Address from this House which he has seconded, that it was the intention of His Majesty's Government to introduce any measure

whatever on any of those subjects. With respect to the first topic adverted to in the Speech, as well as by the noble Duke opposite, who moved the Address, and by the noble Lord who seconded it,—I mean the Bill for the abolition of slavery in our West India Colonies,—I can truly say that there is no man who rejoices more sincerely than I do in the success which is stated to have attended that measure. My Lords, I certainly opposed it from its commencement; I thought that I foresaw in that measure great injury to the interests of this country. I am very happy to find that I was deceived or misinformed in entertaining that opinion. I am afraid, however, that the noble Lords opposite are rather premature in their accounts of the entire success of that measure. I do not understand, either from what I have seen or from what I have heard of what has passed in the West Indies, that it has entirely succeeded. I understand, indeed, that the Legislature of the island of Jamaica has passed a measure adopting that which was passed by the Legislature of this country; but, my Lords, I do not see passed by the Legislature of Jamaica any measure to carry it into execution. The state of society in the colonies we declared, by the Act we passed, should be changed from one in which slavery existed, into one in which slavery should no longer be permitted to exist. My Lords, has there been any alteration in the state of the law in the island of Jamaica applicable to this subject? No such thing. The utmost the Legislature of Jamaica have done has been to adopt the law as it was passed in this country; but they have taken no measures to carry it into execution—they have made no law to provide for the new state of society which we declared should be established; and they have thrown the responsibility of this omission on the Government of this country. Really, my Lords, I cannot think that this is quite a successful state of affairs in the island of Jamaica. I do not mean to charge this state of affairs upon His Majesty's Government, but I do mean to say that this is not such a state of affairs as we could have wished.

The next subject referred to is the state of His Majesty's foreign relations; and I can assure your Lordships that there is no man who rejoices more sincerely than I do in the assurances of the Speech, that peace will continue; that there is no man more sensible than I am that it is advantageous—nay, that it is essentially the interest of this country—not only to remain in peace

herself, but to contribute, by every means in her power, to the establishment of peace among foreign nations, not only with reference to their external relations, but in the interior of each nation. But, my Lords, on this point, I say, His Majesty's Government have given us no information. The dispute between Holland and Belgium is, at this moment, precisely in the state in which it stood two years ago ; and if His Majesty's Government persevere in the same system on which they have acted for the last two years and a half, with reference to this subject, for two years longer, we shall still find it in precisely the same state. My Lords, it is quite impossible—no country can submit to be treated with the injustice with which Holland has been treated throughout this transaction.

With respect to Spain and Portugal, I have frequently stated to this House my reasons for thinking that the civil war in Portugal was occasioned, was fomented, and was kept up by this country. I am still of the same opinion ; but I beg to recall to your Lordships' recollection a little transaction which occurred in this House only in the last Session of Parliament. An Address was sent up to the Throne, entreating His Majesty that His Majesty would be graciously pleased to order that his subjects might be obliged to respect his neutrality in the civil contest in Portugal. My Lords, His Majesty did not exactly approve of that Address from this House. His advisers returned an answer to it which it is not necessary I should qualify, and which I have no doubt your Lordships perfectly well recollect. But what happened? Why, the very individual upon whose acts that Address was founded was punished, within a week after that answer was given, for those very acts—for those very acts ; he was punished for those very acts ; and yet, my Lords, we are told that his Majesty's neutrality was preserved ! My Lords, it is notorious that that contest has been carried on by the subjects of this kingdom, with the money of this kingdom, and by the force of this kingdom ; and yet we are told that His Majesty's neutrality was preserved, although the contest was carried on under the protecting influence of a fleet of His Majesty which was stationed in the Tagus, and another in the Douro, during the whole time ! The King of Spain, whose interests are materially concerned in the peace of Portugal, was told by the Ministers of this country, ' You must be neutral ; if you are not, we will interfere, and support Don Pedro.' Why, my Lords,

is it intended to be stated that, when all this was done, His Majesty could take no one step to enforce the observance of neutrality by his subjects? I say again, nothing is done except stationing a fleet, as I have already pointed out, under whose protection these very measures were carried on. But, my Lords, we must not stop here. We must look a little farther. This contest in Portugal has been followed by a civil war in Spain. At the very commencement of the struggle we ought to have prevented this contest in Portugal. We ought, at an early period, to have recognized the existing Government. It is nothing to this country whether the Government was established by perfidy or otherwise. The noble Duke has said that it was established by perfidy. It is nothing to us how it was established : it was established : it was a Government *de facto*, and as a Government *de facto* we ought to have acknowledged it ; and more particularly ought we to have acknowledged it, and to have prevented the civil contest in that country, when we had forced the sovereign *de facto* to perform his treaties ; and this sovereign having performed his part of the treaties, we ought to have performed ours. My Lords, we did not ; and what is the consequence? Why, this consequence has sprung up in Spain. Don Carlos, at a certain period after the late King had thought proper to make an alteration in the succession to the crown, was exiled into Portugal. Does any man mean to say that if we had been on proper terms with Miguel we could not have forced or prevailed on him to forbid Don Carlos from remaining in Portugal? Don Carlos was required by his brother to go into Italy ; he declined to go ; he remained in Portugal until his brother died, and thus caused a civil war in Spain. I say, then, my Lords, that the civil war in Spain has grown out of the civil war in Portugal ; and that the civil war in Portugal is to be attributed to the course pursued by His Majesty's Ministers. I declare, if these were to be the last words I was ever to speak in this House, that I am really convinced that if they had taken the other course—if they had recognized Don Miguel as the sovereign of Portugal, and had only done him common justice, it would never have taken place. This course, however, was not pursued ; and, at this moment, no man can foresee either the course, or the period of termination, of these civil contests.

Now let us see the effect this policy has had elsewhere. The Speech refers to a contest in the Levant. When it was under



discussion before, I ventured to recommend to His Majesty's Government (who were then lamenting the continuance of the contest in Portugal, as they do in this Speech) to issue a proclamation for the purpose of recalling His Majesty's subjects from the service of both parties, and to order our fleet to be withdrawn from the Tagus and the Douro, and to be employed in the Levant. The course adopted by His Majesty's Government perpetuated the state of things which now exists in Constantinople, which has occasioned a paragraph in the Speech, and which occasioned a similar paragraph in a former Speech at the close of last Session. Now, my Lords, I must say that on this subject I am not speaking by guess. I am speaking from actual experience of what occurred in a former instance; for I happen to know that when, upon a former occasion, Mehemet Ali, the Pacha of Egypt, designed to carry into execution certain measures which he contemplated, upon his being told that they would be disagreeable to, and would be resisted by, this country, he at once desisted. Why, then, if this country could in that instance prevent Mehemet Ali, the Pacha of Egypt, from carrying on war in any part of the Levant, His Majesty's Ministers could do so upon any other occasion. They had only to employ a fleet, and to manifest that they were prepared to use force for the purpose of carrying their intentions into execution. And they may be quite certain that their directions would have been obeyed as readily by Mehemet Ali as they could be by a Governor or Admiral of their own in the Levant. I say, therefore, that if they had chosen, in the course of the Session of 1832, or in the commencement of 1833, to tell Mehemet Ali, 'You must not carry on that war in Syria and Asia Minor; you must not attack the Porte,'—they would have put an end to that war, without rendering it necessary for the Emperor of Russia to interfere by sending an army and a fleet to Constantinople: and thus all the inconvenience and all the apprehension occasioned by that state of things would have been put an end to. Instead of this, however, we have a fleet in the Douro and the Tagus, perpetuating a civil war in Portugal; and we have a fleet in the Channel blockading the ports of our allies, the Dutch. Then, what is the existing state of things, my Lords? Why, our three allies—that is to say, Holland, Portugal, and Spain, beside (if I may mention, without offence to the noble Baron, the Porte as our ally) the Turk—are obliged to resort elsewhere for protection. They are—if I

may use such an expression in relation to this subject—utterly swamped, and it is very doubtful what the ultimate result may be.

I come now, my Lords, to the consideration of the other points embraced in the Speech ; and I again say, that it does not appear to me that we can infer from the Speech that it is the intention of the Government to bring forward any measure bearing upon any of those points, as a measure of the Government, although it appears that they are launched in Parliament, for Parliament to consider when and at what period it may be proper to proceed. This is not the proper season for entering into the question ; but, at the same time, I may be permitted to observe that, considering that the subject of the Poor-laws has been often mentioned, and considering, also, its great importance, I think it is quite time that some measure with reference to it should be brought forward. I hope that some measure will be speedily introduced. My Lords, a proceeding was commenced last Session with respect to municipal corporations ; I believe that a good deal of discussion has taken place during the recess relative to the legality of the Corporation Commissions, and I have seen many learned opinions upon the subject. I will not detain your Lordships upon this topic ; but I may be permitted to observe that it may be worthy of consideration, whether we ought to proceed on reports, with respect to the legality of which any doubts exist, and particularly whether the Commissioners employed had the power of administering an oath. Certainly the reports of these Commissioners cannot be admitted as conclusive authority. Upon this subject I may be permitted to make one further observation ; it is this : I think it will require the utmost attention on the part of your Lordships to consider whether it is expedient to establish, throughout the country, one uniform system of municipal constitution, founded upon the votes of persons having a 10*l*. qualification ? Hitherto in this country the constitutions of the different corporate towns and boroughs have been exceedingly various, and I must say that I conceive such a system so analogous to the circumstances of the country, that their constitution would not be established on a firm and proper principle, if it were founded solely on this 10*l*. franchise. I think His Majesty's Ministers themselves will not venture to say that they have sufficient confidence in these 10*l*. constituencies to justify them in coming forward and recommending to Parliament

that every municipal constitution in the kingdom should be founded on the votes of this particular class of persons.

Although one of the topics referred to, it is not stated in the Speech, nor can I infer from what has been stated by the noble Lord opposite, that it is intended by His Majesty's Government to bring the subject of the Church Establishment before your Lordships. If it be brought forward, I earnestly entreat your Lordships to give your anxious attention to it, and to observe all that has been done with reference to this question. We have all read the speeches of some of His Majesty's servants and their leading friends at various meetings in the country on this subject; and I must say that I consider the contents of those speeches well worth your Lordships' attention, and that they ought to excite the jealousy of this House. I must likewise say, that the conduct of the Government with respect to the Church of Ireland, in former sessions of Parliament, is calculated to excite the jealousy of your Lordships' House. Upon the whole, I will observe, that in my opinion there never was a question brought before your Lordships with reference to which it was so necessary for this House to be jealous, cautious, and vigilant in regard to the proceedings of His Majesty's servants, as the question of the Church of England. It is not for me to enter into the question at present. I will say this, however,—that I supported two Bills which were brought in by a Most Reverend Prelate, in a former Session of Parliament,—one, a Bill to regulate pluralities in the Church, and the other a Bill for the composition of tithes. Both measures were supported by His Majesty's Government in this House; both Bills were highly desirable, with the view of removing objections which might be felt by some, and of conciliating the minds of the people towards the Church; yet, notwithstanding the known omnipotence of His Majesty's servants, in another House of Parliament, these measures were not carried through that House. I entreat your Lordships, then, to look with a jealous eye to all proceedings on this question, and to take care that nothing is done which can affect the interests of the Established Church.

There is another subject upon which the intentions of His Majesty's Government are not expressed in the Speech from the Throne—I mean the Irish Coercion Bill. There can be no doubt that the greatest benefit has been derived from that measure,—not from its execution, because it has not yet, I believe, been

carried into execution in a single instance,—but the mere existence of the Act has certainly been productive of the most beneficial results. I think, therefore, that when His Majesty's Ministers come down to this House, and state in a paragraph of the King's Speech that great evils result from the agitation of the question of the repeal of the Union in Ireland, they ought to tell us whether or not it is their intention to propose a renewal of the Coercion Bill? Your Lordships will observe that it expires at the end of the present Session of Parliament. On this subject, then, my Lords, we know nothing more than that His Majesty's Government deplore the continued agitation of the question of repeal; they say nothing of their intentions of renewing that measure, in order to preserve the state of peace which, we are told, has prevailed since the introduction of the Coercion Bill. I would beg to observe, too, with respect to the question of Irish tithes, that it is absolutely necessary some further proceedings should be taken; and I have to express my regret that those measures of relief have not been adopted which the suffering clergy have a right to expect; for, notwithstanding the steps which have already been taken, as far as I have been able to learn, the great body of the clergymen of the Church of Ireland in the provinces of Connaught, Leinster, and Munster, are precisely in the same miserable condition in which they have been placed for the last three years. They might have expected to have received some relief from the measures of Parliament, but I grieve to say, that there appear to be no hopes of carrying those measures into execution, and that it is very necessary that some further proceedings should be adopted; for I again say, that they are in a state of the greatest destitution. I understand that many of them have been deprived of the little advantages derivable from insurances on their lives, and others, of which they had been enabled to avail themselves for the future support of their families in former seasons of prosperity—that they have exhausted every means of support—that they have no hope of bettering their condition—that many of them have been under the necessity, under the most unfavourable circumstances, of accepting the boon which was held out to them at the close of last Session by His Majesty's Government, and that they are now actually starving. This being their present unfortunate condition, I am sure your Lordships will agree with me, that no time should be lost in again bringing forward those measures of

relief, whatever they may be, by which His Majesty's Government propose to relieve them from their distressed situation. I have felt it my duty, on such an occasion, to offer these few observations to your Lordships, but as it is not my intention to propose any amendment, I will not trouble your Lordships any further.

Address agreed to.

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March 21, 1834.

### ADMISSION OF DISSENTERS TO THE UNIVERSITIES.

Earl GREY having presented a petition from sixty-three members of the University of Cambridge, favorable to the admission of Dissenters to the Universities,

*THE DUKE OF WELLINGTON* said:

I should have been desirous of following, on this occasion, the course which I have followed on other occasions of a similar kind—namely, that of avoiding all discussion of the subject-matter of petitions at the time of their presentation. But the importance attached by the noble Earl himself to the petition—the formal previous notice which he gave of his intention to present it—the attention which he occasioned at the moment, and the general attention which it is likely to excite in consequence of the speech with which the noble Earl has accompanied it—all these circumstances render it necessary for me to address a few words to your Lordships. I cannot help lamenting that the illustrious Duke, the Chancellor of the University of Cambridge, should not be present on this occasion, in order to state to your Lordships what are the peculiar circumstances attendant upon the granting of degrees in the University to which this petition refers. I certainly cannot be supposed to be well acquainted with matters of that description relating to either of the Universities;—at all events, I must be so in a much less degree with regard to the University of Cambridge than that of Oxford. But I think that it appears, from the statement of the noble Earl himself, that this University is a corporation—that it is a corporation possessed of the power of judging and deciding on the matters referred to in this petition, and one, at the same time, capable of exercising that power. What is the nature of this present case? Sixty members of that corporation—sixty most respectable individuals, indeed, and I am sorry that the illustrious Duke is not here to bear testimony in favour of their

characters—apply to your Lordships, desiring you to interfere in your legislative capacity, in order to overrule the decisions of that corporation on certain regulations. The noble Earl has stated to your Lordships (and, I dare say, with great accuracy) the history of those regulations, and has called on you to revise and alter them at the demand of those sixty individuals. It does not appear to me that it would be a very wise course for Parliament now to revise the proceedings of James I. on the ground of informality ; but I may observe that the Senate, which the noble Earl has stated to consist of 180 resident members, is composed of, I believe, about 4000 individuals ; and, were the discussion of these matters to be brought regularly before that body, it would be found that the great majority of them were opposed to the alterations which have been advocated by the noble Earl, at the proposal of these sixty petitioners, who do not even constitute a fiftieth part of the whole number. But those gentlemen say that it is not that majority—it is not the great body of the senate—but it is the *Caput* that object to the alteration of the regulations, and even to the discussion of the subject. It is impossible for me to say who are or who are not the objectors ; but of this I am certain, that if there had been a disposition in the University of Cambridge in favour of the measures in question, their proposal was only necessary to lead to their being carried into execution.

EARL GREY : I stated that they had been proposed twice to the *Caput*, and had been twice negatived.

*THE DUKE OF WELLINGTON :*

I contend that the great majority of the senate are against them—that the great body of the 4000 are adverse to their adoption ; and, therefore, I say it was not the duty of the *Caput* to accede to the proposal of a discussion of alterations to which the great majority was opposed. The question involved in these propositions relates to the bestowal of certain privileges on persons who are dissenters from the Established Church ; and let me beg your Lordships to consider who these dissenters are, and what are the divisions among them ? There are many of them whose separation from the Church of England is of a small extent, consisting in a difference of opinion on some one or two articles ; there are others who agree with that Church in no one point ; there are some who deny altogether the existence of the Trinity, and others who are entirely Atheists. I would ask, is it desirable that these

men, differing from the Church of England to the varied extent which I have mentioned, should be admitted to the enjoyment of the privileges which they claim? This is the question for your Lordships to consider, and the question which the members of the senate must consider, before they adopt measures of the description proposed. The regulations which are the causes of complaint are totally different in the University of Cambridge, from what they are in the University of Oxford. It is true that a Dissenter can receive education at Cambridge until he reaches the stage for conferring the degree of Bachelor of Arts; he cannot proceed to that degree, unless he signs certain articles, which are neither more nor less than the Articles of the Church of England. That is to say, having received his education there, he is required to sign these Articles, being the Articles of Christianity—Articles explained to him in the course of his education as a Christian; he refuses to comply with this condition, and, consequently, is not admitted to the degree. Now, these petitioners call upon your Lordships to allow him, notwithstanding that refusal, to take a degree, and be admitted to a share in the government of the University. That is a course which your Lordships cannot adopt—which it would not be just for you to adopt. Undoubtedly, the being deprived of the degree operates as a disadvantage to the Dissenters, in the professions of law and medicine; inasmuch as the degree confers on those possessing it certain privileges, both in the way of promotion and time. But this disadvantage arises not from the rules of the University, but from the rules of the Benchers of the King's Inns, and the rules of the College of Physicians; they do not spring from the regulations which your Lordships are called on to alter, but from those of other bodies quite unconnected with the University. I entreat your Lordships not to consent to interfere without necessity with the charter of the University of Cambridge; I entreat you not, at the demand of a small minority of its members, to force that University to make an alteration in its laws which must have such a material effect on its government.

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*April 21, 1834.*

The Duke of GLOUCESTER presented a petition from 258 members of the Senate of the University of Cambridge, against the admission of Dissenters to the Universities.

Earl GREY advocated the claims of Dissenters to this privilege.

*THE DUKE OF WELLINGTON* said :

Although I am aware that this is not the most convenient occasion upon which to enter into a discussion of the general question involved in this petition, there are, nevertheless, one or two observations which I wish to make in reference to what has fallen from the noble Earl who has just sat down. The noble Earl states, that the object of the petition which he presented on a former occasion from the University of Cambridge was not such as is described in the petition which the illustrious Duke has presented to night. The noble Earl states, that the only object of that petition was to remove from the Dissenters certain disabilities under which they labour in acquiring degrees at the Universities, and certain other disadvantages in the medical and legal professions. It is perfectly true that that was the apparent object of the petition ; but the noble Earl has kept entirely out of view the circumstance stated by the illustrious Duke—namely, that where it shall be competent to the Dissenters to take these degrees, it will also be open to them to become governors of these learned corporations, and thus to occupy a situation with respect to the education of the youth, and especially of the clergy of this country, which I have not heard even the noble Earl himself describe as desirable. The noble Earl says, truly, that the object put forward in the petition which he presented on the 21st of March last, was to obtain for the Dissenters certain advantages at the bar, and certain advantages in the practice of medicine, from which they are at present excluded. But there are other modes of obtaining those advantages independently of the objectionable mode pointed out in that petition—objectionable mode I have a right to call it even upon the noble Earl's own statement,—inasmuch as it tends to place these persons in the government of the Universities. That is one of the great difficulties with which he will have to contend in coming to an ultimate decision upon this question. As I understand that the subject will shortly be brought before us in a specific shape, I will not now enter into any discussion upon the policy of the views which the noble Earl seems to entertain ; but this I must say, that if the measure which is now proposed should be adopted by your Lordships (which God forbid !) we must take our leave of the object which the noble Earl says it is his most anxious wish to support and maintain—I mean the union of Church and State—ay, and we must take our



leave also of the existence of Christianity itself. It is upon that ground that I oppose the prayer of the petition presented on a former occasion by the noble Earl, and support the prayer of the petition which has this evening been submitted to your Lordships by the illustrious Duke near me.

The LORD CHANCELLOR supported the prayer of the petition.

*THE DUKE OF WELLINGTON said :*

I merely rise to observe, that the noble and learned Lord has contrived, with some dexterity, to divert the discussion from the petition now under your Lordships' consideration, to certain other petitions presented to His Majesty in person or in Council, to which the petition now before us bears no relation whatever. Besides, the noble and learned Lord has misrepresented what fell from me. What I stated was, that there were other resources, other modes of removing these disabilities from the Dissenters besides the mode pointed out in the petition some time since by the noble Earl at the head of His Majesty's Government. The noble and learned Lord's statement is that we wish to cut the Dissenters off from their other resources: that is not the fact. I do not know that any objection has been made to allowing other learned bodies to grant degrees. All that is desired by the Universities is this: that the degrees so granted by other learned bodies shall not bear the same title as those granted by themselves; and their object in making this request is, that the degrees granted by other bodies shall not be a fraud upon the world. There will be no objection whatever to Dissenters having all the advantages that can be conferred by degrees in courts of law, or in the medical profession, but it is contended that they ought not to be permitted to share the privileges and advantages of other degrees granted by the Universities. I will not be led to be guilty of a breach of the Orders of the Houses by entering further into the argument.

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*April 30, 1834.*

#### THE UNION WITH IRELAND.

Earl GREY having moved the adoption by the House of the Address of the House of Commons in support of the union with Ireland,

*THE DUKE OF WELLINGTON* said :

Concurring, as I do, most entirely with the motion made by the noble Earl at the head of His Majesty's Government, and also in the Address to which the House of Commons has agreed, I will not trouble your Lordships with more than one observation. I assure your Lordships that I entirely agree in the sentiment and opinion expressed in that Address—namely, that the Union has been the cause of the greatest possible benefit to both portions of the empire, and most particularly conducive to the interests of Ireland. I also beg to express my cordial concurrence in that part of the Address which states the determination of this and the other House of Parliament, by all means in their power, to assist His Majesty in maintaining the Legislative Union between Great Britain and Ireland.

Address agreed to.

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May 5, 1834.

#### THE KING OF OUDE.

LORD ELLENBOROUGH called the attention of the House to certain conduct of an arbitrary character pursued by the Board of Control towards the Board of Directors, with reference to demands made by individuals on the King of Oude.

The LORD CHANCELLOR defended the course which had been pursued by the Government in the matter.

*THE DUKE OF WELLINGTON* said :

My Lords, notwithstanding what has been said by the noble and learned Lord who has just sat down, I must venture to express my entire concurrence in the feelings of concern and surprise which my noble friend entertains at finding that such measures as are contained in the papers before me, should have been concurred in by the President of the Board of Control, and that the attempt should have been made to enforce those measures on the Court of Directors by means of proceedings, in the way of *mandamus*, in the Court of King's Bench. My Lords, I have felt the greatest surprise on this subject, knowing that the inducement held out to the Court of Directors for the adoption of the arrangement of last year for the government of India, was, that that measure was calculated to give to the East India Company and the Court of

Directors an increased interest in the prosperity of India, by connecting their dividends with its revenues. It is true that the Board of Control, at the head of which is the Right Honorable Gentleman who proposed these measures to Parliament, and who has been so often referred to, took to itself throughout the whole course of these regulations more extensive powers than were vested in them upon any former occasion—powers enabling them, without the knowledge of Parliament—without Parliament being acquainted with any communication between them and the Court of Directors—to carry into execution whatever measures they might think proper.

My Lords, the first step taken is to send down a despatch to the Court of Directors, ordering them to take a course, in relation to a private debt of an individual towards one of the powers in India, with which our connexion has always been of the most intimate nature, which must lead to hostilities; and which never was adopted by any other state, under any circumstances, with the single exception of that of France. In the peace of 1814, the treaty contained a stipulation for the payment of the private creditors of France, solely because there was a similar stipulation in the Treaty of Amiens, arising out of the circumstances of the French Revolution. I defy the noble and learned Lord to point out any other instance of a state interfering in favour of a debt to an individual. This brings me to the last argument which was brought forward by the noble and learned Lord with reference to the correspondence between the Court of Directors and the Right Honorable Gentleman. The noble and learned Lord has labored to prove that the scheme to obtain payment of the debt to this individual was not to be carried into execution by war or the menace of war. Mr. Grant makes use of very strong words on the subject. He says, 'As the case now stands, although we are sensible of the disadvantages in which we are placed, we nevertheless feel that it is incumbent upon us to use our utmost efforts to retrieve the present claimants from that unfortunate situation in which they are placed.' I ask your Lordships to look only to the terms in which this communication is couched. It does not say that remonstrances are to be made, but that the 'utmost efforts' were to be made use of. Let us see what impression these terms made upon the Court of Directors. They expressly say in their reply that the utmost efforts of the British Government mean compulsion

either by intimidation or force. This is the meaning which the Court of Directors attach, and state they attach, to the orders issued by Mr. Grant; and Mr. Grant, after the consideration of some months, thinks proper to go to the Court of King's Bench and claim its interference by a writ of *mandamus* to compel the Court of Directors to send out to India a despatch, which they tell him they consider means interference by intimidation or force, to obtain payment of this debt due to individuals. Instead of coming forward at once and disclaiming that he meant compulsion by intimidation or force; instead of coming forward and saying—‘I want you to proceed in the way in which Mr. Stracey or Lord Hastings proceeded,’—as it is stated by the noble and learned Lord that he means that the Directors should proceed; Mr. Grant remains perfectly silent.

No Gentleman in the House of Commons, certainly, has been induced to ask Mr. Grant a question upon the subject, as the noble and learned Lord states ought to have been done; but it was well known that the subject was noticed in this House; and up to this moment, Mr. Grant remains silent, and the despatch is still liable to the same construction. But the noble and learned Lord says, that the subject should have been brought forward in the House of Commons, and that the *mandamus* having been withdrawn, it is unnecessary for my noble friend to bring forward this motion. My Lords, I confess I was exceedingly happy to find that the *mandamus* was withdrawn; I was naturally very happy to be relieved from the trouble of reading all these papers over and over again, and likewise to know that there was no occasion for drawing the attention of the public to transactions of this description, as between the Court of Directors and the Board of Control. But, my Lords, I must beg to remind the noble and learned Lord, that he himself stated, when he announced that the *mandamus* was withdrawn, that the measure could be carried into execution in another way. In another way! Then was not my noble friend perfectly justified in submitting—nay, I ask your Lordships, whether he would not have been guilty of a gross dereliction of duty, if he had not submitted this motion to your Lordships' consideration, seeing—as he has shown to your Lordships to-night—that that mode of attaining the object would be even more injurious to the interests and honor of this country, than persevering in the *mandamus*? But the noble and learned

Lord has argued the claim of these creditors to the interference of the Government of India, to the full extent even of the letter of Mr. Grant, and has even gone so far as to contend that it was a claim upon the honor of the country. Well then, my Lords, if it be a claim upon the honor of the country, I contend that it has become our duty to sift this matter to the bottom, to see if there be any claim—if any, on whom—and for what reason it has not hitherto been allowed. The noble and learned Lord occupied a good deal of time in combating, not an assertion, but a supposition or a suspicion entertained by my noble friend, that Mr. Prendergast had purchased this security from these native bankers, previous to the month of December, 1797. Now, I beg to recall to your Lordships' recollection, that my noble friend merely stated a fact which, I apprehend, neither the noble and learned Lord, nor any one else will deny—namely, that if Mr. Prendergast had purchased it since the year 1797, which my noble friend said that he had heard asserted, and had never heard contradicted, he would have been guilty of an offence against an Act of Parliament.

The noble and learned Lord has pronounced a panegyric on the character of Mr. Prendergast. I am willing to admit, that a more respectable person I never met—that he was a most amiable person in private society, and a most honorable man. But still this does not alter the fact which I have just stated, namely, that if he made this purchase subsequently to December, 1797, he was guilty of an infraction of an Act of Parliament; and if he was guilty of this breach of the Act of Parliament, this fact afforded another reason against the grant of the *mandamus*. The noble and learned Lord, after explaining the share which Mr. Prendergast had in this transaction, proceeded to discuss the part which Mr. Cherry took in it, and on this point the noble and learned Lord has, I think, ventured one of the most extraordinary assertions that ever was made in this House. He has said that Mr. Cherry, who was instructed over and over again, to take no part in the transaction, whose station and duties precluded him from doing so, gave his guarantee that the money lent to the Nabob of Oude should be repaid. Now, I ask your Lordships whether there is, throughout these papers, anything like a trace of such a course having been adopted by Mr. Cherry? It is not even hinted in the letter from the Board of Control to the Court of

Directors; and there is the strongest presumptive evidence that no such circumstance ever occurred, or ever could have occurred. It was stated, in one of the papers laid before Parliament, that a part of this money was advanced, not for the purpose of equipping an army, but for feeding the Nabob's wild beasts. If this be the case, what in the name of God could Mr. Cherry have had to do in the matter? There is the strongest possible evidence that this statement cannot be true—the Nabob was to pay 36 per cent. interest on the loan. Is it possible that the noble and learned Lord, or any noble Lord in his senses, can believe that any government with the assistance of the security of the British Government, would give 36 per cent. interest upon a loan, or that any private individual, such as Mr. Cherry, would make himself responsible for such a loan, at such a rate of interest? But then we are told that the British Government is bound to see this money repaid, not only on account of the share which Mr. Cherry had in it, but because, forsooth, under a subsequent arrangement, the East India Company obtained possession of the province of Rohilcund, in defending which this money was expended; and that because that province, not two months afterwards, but some years afterwards, was ceded to the British Government; therefore, the British Government is bound to see that this debt is paid. My Lords, this country is not responsible for the repayment of the loan, on that or on any other ground.

It is not necessary to follow the noble and learned Lord into that part of his speech in which he indulged in jokes and sarcasms respecting the government in India of my noble relative; I will only say, that I am perfectly ready to meet him in fair argument whenever he may think proper to bring forward a motion in this House, founded on transactions which took place during Lord Wellesley's administration in India. In support of this claim, and to prove that it ought to be allowed, the noble and learned Lord has referred to the sentiments entertained with respect to it by Lord Wellesley, Lord Cornwallis, Lord Teignmouth, and others. Now, with respect to Lord Wellesley's opinion, there certainly is a very strong letter from him on the subject of the claim of the bankers on the Nabob Vizier. My Lords, I do not dispute their having a claim on the Nabob; the question for consideration is, whether they have an equitable claim on the British Government to protect and urge their claim for payment, which

is quite another matter. My Lords, if Lord Wellesley, in his station as Governor-General of India, had given his sanction to the demand of these bankers for the interference of the British Government in their favor, there is no man in the community who would bow to that decision with more deference than myself. But when the noble and learned Lord adverts to an opinion expressed by Lord Wellesley, in what I must consider as a private letter of recommendation, written in London in favor of a friend, I must beg to set against that opinion Lord Wellesley's own acts and proceedings in his official situation. Lord Wellesley proposed to negotiate a treaty with the Nabob of Oude, by which, in consideration of his Highness ceding to the East India Company all his territories, the British Government in India should take upon themselves the payment of all his debts. This proposition was declined; and in answer to this proposition, one was made by the Nabob, the effect of which Lord Wellesley understood to be that the Governor-General should give his sanction to an article by which the Nabob should be relieved from the payment of all his debts; and he stated his impression accordingly, and his refusal to agree to such an article. I need not say that there is a great deal of difference between urging the Nabob to enter into an arrangement for the settlement of his debts, and sanctioning, with the authority and in the name of the East India Company, a proposition for cancelling them. But, my Lords, this is not all: a treaty was subsequently negotiated, by which the Nabob ceded half his territories, and 135 lacs, in payment of a subsidy of 75 lacs. During the whole time that this treaty was under negotiation, not one syllable was mentioned of the payment of debts; neither is there in the instructions for negotiating the treaty—for we have them before us—a single syllable about these debts. Had there been any arrangement of the kind intended, the subject must have been adverted to. This treaty was concluded in the year 1801, and in the following year, 1802, the Governor-General went to Lucknow, and had an interview with the Nabob, in which various measures and arrangements were discussed, some included in and resulting from the treaty concluded in the preceding year, and others relating to the payment of money by the Company's government and the Nabob's family, on account of the Nabob. These conversations were recorded in great detail, but they do not contain one word about these debts. The words used

by Lord Wellesley, at the close of these recorded conversations, afford strong presumptive proof that he did not consider that the British Government ought to press for the payment of these debts. Towards the close of the discussions he says, 'that as no question of difficulty remains between the British Government and his Excellency, the Governor-General entertains a confident hope that no future cause of vexation can occur in the transaction of affairs.' Could he have used such language had he been aware of a gentleman in the background with a demand amounting at that time to not less than 300,000*l.* or 400,000*l.*, in whose favour the British Government was bound to interfere, as it now appears, by force or menace—a claim amounting at present, with interest, to not less, perhaps, than 1,000,000*l.* or 2,000,000*l.* sterling?

With respect to my Lord Hastings, all that he says is, that he wishes this claim to be put fairly before the Nabob, and that the best efforts may be used to obtain payment; but there is not one word of menace, of the employment of force, or anything of the kind. Moreover, the Nabob did not attend to the recommendation; the debt was not paid; and the matter was looked upon as dropped. But it appears that the proceedings to obtain the *mandamus* having been discontinued, the question is to be considered on new ground; and my noble friend has moved for papers to elucidate this ground. Parliament have already before them some papers which show the sort of temper prevailing in the Councils in India respecting the government of the King of Oude, and demonstrate the existence of intentions, the execution of which will reflect more disgrace upon the British Government in India than any transaction in which they have ever been engaged. These are neither more nor less than to seize the government of Oude, under the pretence of the country being misgoverned, and then to pay these creditors. This will be a notable piece of policy. But, my Lords, I believe it will be admitted that nothing short of necessity would justify the execution of this measure; and I will read the concluding lines of a Minute of Lord William Bentinck's, which shows clearly that this necessity does not exist. His Lordship, after a long description of the misgovernment of Oude, says, 'The wish of reform has hitherto been retarded by untoward circumstances; but I hope the time is at hand when it will make satisfactory progress, under the direction of the talents and experience of the Minister, supported when right, and controlled when



wrong, by the friendly counsel of a judicious resident.' There is, then, my Lords, a resource besides the seizure of the government of Oude, of which I hope that we shall avail ourselves. The Papers moved for by my noble friend will throw light upon this subject, and I trust that they will be granted.

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*May 6, 1834.*

PORTUGAL—SIR JOHN CAMPBELL.

The Marquis of LONDONDERRY called the attention of the House to the policy of the Government with regard to Portugal and Spain, and to the imprisonment of Sir John Campbell, a British subject, in the dungeons of Lisbon.

Earl GREY defended the policy of Ministers.

*THE DUKE OF WELLINGTON* said :

I cannot omit the present opportunity of bearing my testimony to the respectability of Sir John Campbell, both as a British officer and as a gentleman. It appears from what the noble Earl has stated, that the Government have taken very considerable pains in order to have justice done to that gentleman. I confess I have always looked upon this question of Sir John Campbell with a considerable degree of prejudice. In my opinion Sir John Campbell was in the service of Don Miguel without the permission of His Majesty, and was therefore guilty of a breach of the Foreign Enlistment Act. But still I do not consider that he thereby forfeits His Majesty's protection when in a foreign country. It is true, Sir John Campbell had formerly served in the Portuguese service, but that was with the permission of his Sovereign. He afterwards quitted that service, and then returned without the permission of His Majesty; and therefore contrary to the provisions of the Foreign Enlistment Act. Looking at the statement in that point of view, I am nevertheless exceedingly anxious that some steps should be taken in order to release this gentleman from the state of rigorous confinement which it appears to me he is held in by the Portuguese Government. I conceive that great injustice was done by his having been seized on board a British vessel on his departure from the coast of Portugal. The noble Earl in answer to that states, that he was seized in a British ship which was breaking the blockade. If he had been in such a ship, and

had no despatches about him, I do not think the Portuguese Government would have had any right to seize him.

However, what the noble Earl has stated, and what has not been denied, is, that General Campbell had on his person, at the time he was seized, certain despatches. Having these despatches, there can be no doubt that he was acting in the capacity of a servant of the Government, whose despatches he was carrying; and being seized with the despatches about him, my opinion is equally clear from doubt, that the detention of Sir John Campbell was a legal detention. It being a legal detention, I ask noble Lords to consider what is the duty of His Majesty's Government respecting a British subject in Portugal, thus legally detained? It is said that Sir John Campbell is a prisoner of war; but, as one of the King's subjects, he has peculiar rights when in a foreign country. Sir John Campbell was not taken in the actual commission of an offence, for it cannot be called an actual commission of an offence to have had despatches upon him. That being the case, he, as a British subject within the Portuguese territory, being taken as a prisoner by the Government of Portugal, had a right to have his case investigated and reviewed by the Juez Conservador. If no such investigation has taken place, then most undoubtedly right has not been done to Sir John Campbell, nor that degree of protection afforded to him stated by the noble Earl; for instead of being confined in the prison of St. Julian, or in the Castle of Belem, he ought to have been handed over to the magistrate appointed to consider cases of detention of British subjects, where the party was not actually taken in the commission of an offence; and his case ought to have been adjudicated by the officer, in the way pointed out by the treaty between His Majesty and the Portuguese Government. Sir John Campbell has a right to claim the protection of that magistrate, from receiving more punishment than any other person would under similar circumstances. I am afraid it will be found that he has received a greater punishment, and has been visited with more severity than he ought, and that there is something vindictive in the mode in which he has been treated. I am certainly desirous of avoiding the discussion of any of the other subjects to which my noble friend has referred. It appears to me much more convenient—since there is to be a discussion upon these matters—to reserve our observations until the question shall be brought properly

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before the House, than to enter upon them in this incidental manner.

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*May 22, 1834.*

### ADMISSION OF DISSENTERS TO THE UNIVERSITIES.

Lord KENYON presented a petition against the admission of Dissenters to the Universities.

Earl FITZWILLIAM said that the greater part of the Colleges in our Universities were founded by individuals, and it did not appear that these individuals had any particular sect in view.

*THE DUKE OF WELLINGTON* said:

The noble Earl contends that the Universities were not founded with a view to propagate any particular sect of religion. It is perfectly true, that the majority of the colleges in the Universities were founded previous to the introduction of the Reformation in this country ; but I defy the noble Earl to show that it was ever the intention of the founders of these Universities, that any religion should be taught within them excepting the Christian religion. My Lords, the Roman Catholic religion was reformed, and, being reformed, the reformed religion was taught at these Colleges and Universities. On the Reformation having been effected—at the very moment of the Reformation—those tests were introduced to which the noble Earl refers, and of which he complains. Those tests are—what? They are the tests of Christianity, as maintained by the Church of England. Such are the tests which the students at those Universities are required to take—the tests of Christianity, as believed by the noble Earl, amongst others, and, I have a right to suppose, by every noble Lord in this House. Does the noble Earl mean to say, after those tests have been found to be efficacious, that they are now to be thrown aside, because certain parties protest against them? Because Dissenters and Roman Catholics have greater power in their hands now than formerly, is it therefore proper that we should depart from that which we believe to contain the true doctrines of Christianity? I am sure that the noble Earl cannot contend for such a proposition in this House ; and if he does, I am perfectly convinced that the majority of this House will not agree with him.

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*June 6, 1834.*

### CHURCH OF IRELAND.

The Earl of WICKLOW moved an Address to His Majesty, for a copy of the Commission issued relative to the Church in Ireland.

Earl GREY explained the views, motives, and principles which had induced the Government to issue the Commission.

The Earl of RIFON, the Earl of ABERDEEN, the Earl of ELDON, the Duke of RICHMOND, the Archbishop of CANTERBURY, the Earl of WINCHILSEA, and the Marquis of LANSDOWNE, having addressed the House,

*THE DUKE OF WELLINGTON* said:

The noble Marquis, who has just addressed your Lordships, says that his motive for agreeing to this Commission is to obtain an inquiry into the facts of this question. If such be the case, the noble Marquis must be one of the most difficult men to satisfy in His Majesty's dominions, because there is no one subject which ever came under the consideration of any public man, that has been so frequently inquired into as the one now before your Lordships; nay, more, it is at this very moment under inquiry before the Ecclesiastical Commissioners appointed by the Bill of last year; every parish in Ireland, every living, and the income of every clergyman, being subject to their investigation, in order to ascertain what is the amount of the revenues, and all circumstances attendant upon the population of Ireland, and the state of society there—which are as well known to your Lordships, ay, better known, than similar circumstances attendant upon the population of this country, or indeed, I might say, in this metropolis. My Lords, inquiry is not the object of this measure; and that position, I think, I shall make good. The noble Earl opposite found great fault with my noble friend, the noble Earl who commenced this debate, because he thought proper to bring forward this subject, and state his opinions on it in the manner in which he did; but, my Lords, it should be remembered that the noble Earl, my noble friend, is a representative of the Irish people in this House; that he is an Irish Peer, representing the Irish Peerage; and that it was therefore his duty to call on the noble Earl for some explanation on this subject, more particularly after the debate which had occurred in another place. The noble Earl has taunted my noble friend for not adopting some other course, and said, that, if my noble friend entertains the opinions which he

expressed on this subject, he ought to propose some vote to the House of a different character, or should have moved an address to the Crown for the removal of His Majesty's present Ministers from His Majesty's councils. In a few sentences which he delivered afterwards, the noble Earl adverted to public opinion, and to the spirit of the times, and rather threatened the House for acting contrary to that spirit. We have heard much of the spirit of the times from the noble Earl who spoke from the second Bench (the Earl of Radnor), and the noble Marquis who spoke last. My noble friend abstained from making any motion beyond one calling for a copy of the Commission, from a desire of not placing himself in a state of competition with the other House of Parliament, and with what is called the spirit of the times. My noble friend deserved to have credit for the same prudence as that with which the noble Earl acted; he properly called upon the noble Earl for some account of this transaction. The noble Earl has given us his account of this Commission, which I must say is not exactly the same as that given by a noble Lord in another place. I think that the two noble Lords, the one in the one House of Parliament, and the other in the other, might have agreed upon giving the same explanation. But I must examine this matter a little further. The noble Lord in the other House of Parliament stated that this Commission was issued as the commencement of carrying into execution the Resolution upon which he moved the previous question. I beg leave here to read that Resolution to your Lordships. It declares 'That the Protestant Episcopal Establishment in Ireland exceeds the spiritual wants of the Protestant population; and that it being the right of the State to regulate the distribution of Church property in such manner as Parliament may determine, it is the opinion of this House that the temporal possessions of the Church of Ireland, as now established by law, ought to be reduced.' It will be seen, therefore, that this Commission goes not only to inquiry as to numbers, as to revenues, as to duties, and to all other circumstances attending the Church Establishment, but goes also positively to the numbers of the different sects, and to the circumstance of residence, with a view to reduce the amount of the fund at the disposal of the Church. It would appear, from what was stated by the noble Lord, that this was not a sudden measure, but one which had been in contemplation before it was adopted on this occasion.

We know more on this subject than, perhaps, we ourselves are quite aware of; I am quite convinced that this measure has been in contemplation for nearly two years—ay, and has been abandoned repeatedly, and that the noble Lord was quite correct when he stated that it had been given up before. The first time when it came under consideration was when the letter, addressed by a noble Lord, lately the Lord-Lieutenant of Ireland, first reached the noble Earl opposite—we know that this was in 1832; and the noble Earl declared, in this House, in the most positive terms, that the proposition contained in that letter was one which he never could assent to.

EARL GREY.—I beg the noble Duke's pardon—I will state what I said. A noble Earl, on the other side of the House, observed, that in that letter a proposition was made by the Lord-Lieutenant for the destruction of the Irish Church. I said that to any such proposition I could not assent; but I did not say that anything contained in that letter could be construed to that effect.

*THE DUKE OF WELLINGTON:*

Such may be the case; but your Lordships have all seen that letter—you heard what the noble Earl said of it at the time that it first came before the public,—and you will judge for yourselves whether my description of it is correct. But I will go further. After this proposition was made by the late Lord-Lieutenant, the noble Earl said that His Majesty's Government having that letter under their consideration, brought in the Bill of last Session, for altering the temporalities of the Irish Church. That Bill was passed. I want to know, did they consider that Bill final or not? Under its provisions the Church was reduced to the lowest state possible—the bishoprics were reduced in number, and the revenues of many livings were appropriated.

But we have been informed to-night, that since the passing of the Irish Church Temporalities Bill, the present Lord-Lieutenant of Ireland has made another proposition—a proposition for inquiring into the state of the Irish Church. I should like to know what that proposition was, and whether it was in any way intended to promote the objects of this Commission, and those of the Resolution moved in the other House of Parliament. I should like to know whether it is absolutely true that the present Lord-Lieutenant has come forward with such a proposition. Now, allow me to read a paragraph from a speech delivered by His Majesty, and

referring to this subject. His Majesty says, in his Speech on the 4th of February last, 'I recommend to you the early consideration of such a final adjustment of the tithes in that part of the United Kingdom as may extinguish all just causes of complaint, without injury to the rights and property of any class of my subjects, or to any institution in Church and State.' I beg leave to state that the Irish Church Temporalities Bill originally contained a clause called the 147th clause, which was struck out of the Bill upon the motion, as I understood, of His Majesty's Government. After this they brought in the Irish Tithe Bill, which contained clauses by which the appropriation of Church property was secured for the benefit of the Church of Ireland, which clauses, to the number of fifty, I believe, must be struck out of the Bill, if the system proposed under this Commission is to be carried into execution. And as to this Commission of Inquiry, which has since been issued, I believe it must be considered, that unless the Government intended to deceive Parliament, no idea of it was entertained by any Member of the Cabinet, until the difficulty had arisen among them on the 6th of May, as to the propriety of the appropriation of Church property.

When on a recent occasion the question was brought forward in another place, the noble Lord, the leader of the House of Commons, declared that the Commission was the first step towards the execution of the resolution, it was not a very regular step—not one adopted in the regular course. The noble Lord stated in the other House, that the Commission was signed and sealed on Monday last. Now I happen to know that the Great Seal cannot be put in motion without the assistance of the Privy Seal, and knowing that the noble Earl (Ripon) opposite had expressed his dissent from the Commission, I feel assured that he would sooner have put his right hand in the fire than have facilitated its issue by affixing the Privy Seal to it, so as to promote its execution by the Great Seal. The fact is, the noble Earl had not put the Privy Seal to this Commission; and one of the great objections which I have to the Commission is, that it has been made to proceed from the King, and not from either branch, or through the intervention of either branch, of the Legislature. It is the King who is to institute this inquiry into the affairs of the Church of Ireland—it is the King who orders the Great Seal to be put to this Commission. But I contend that there was no reason what-

ever why a writ of emergency should have been resorted to, and the powers of the Crown called into action. I say that His Majesty is not well treated when he is thus brought forward upon this occasion. There was no emergency in the case. The Government might just as well have waited till Wednesday or Thursday, or even this day, by which time they might have appointed to the office of Privy Seal some noble Lord who would not hesitate to affix the Seal to the document. There was no necessity to call upon His Majesty by a Writ of Emergency to complete the Commission on Monday last. There was nothing to gain by it, except, perhaps (and this, indeed, is the apparent object of the whole transaction), the carrying a few votes in the other House of Parliament.

I have professed always—and I do so now—my unwillingness to pronounce a judgment as to the obligations of a Coronation Oath, but this I decidedly will say,—that if, as has been often contended, His Majesty be not bound by his oath, with respect to legislative proceedings, yet that, in his executive capacity, his advisers should have paused before they recommended him to interfere personally, as he has done, in such a case as the present—a case deeply affecting the interests of the Church as established in one part of the empire, and this the more especially when there was no necessity—no reason which could be fairly and honorably urged for a Writ of Emergency. The noble Earl, the late Privy Seal, as well as several other noble Lords, have so well and so clearly explained the dangerous consequences which are likely to result from this mode of proceeding, that I should only be needlessly occupying your Lordships, if I endeavoured to enlarge upon them. I shall, therefore, conclude by expressing my thanks to the noble Earl for having brought forward this motion, and for allowing us the opportunity of expressing our opinions upon the subject.

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*June 16, 1834.*

#### THE BANK OF ENGLAND.

The LORD CHANCELLOR having addressed the House on the subject of the London and Westminster Bank Bill,

**THE DUKE OF WELLINGTON** said :

The difficulty which I have felt on this question is the same



which has been stated by the noble and learned Lord, namely,—that whatever may be the opinion of the Judges as to the legal construction to be put upon the Act of Parliament under which the Bank of England holds its rights, still it might be possible that there was something in the transactions between the Government and the Bank, which would require that the Bill now before your Lordships should not be passed. I confess that I came down to this House in order to support the Government in their bargain made with the Bank of England. I do not at all like any part of this transaction. I do not think that the Bank of England should stand in such a position as to depend either upon the Government or upon Parliament, in order to have its bargain carried into execution. I perfectly agree with the noble and learned Lord on the Woolsack, that this is not likely to be the only application of the kind which we shall have made to us. Indeed this is one of the cases which was foreseen and foretold when the declaratory clause which was introduced into the Bill of last Session of Parliament was under discussion. I am very sorry to see that the Bank of England is exposed to applications of this nature, or that it should be liable on some future occasion to be injured by discussions of this kind. I agree with the learned and noble Lord, that the only effectual way to remedy that difficulty is, to refer the question to the Judges in the manner proposed; but, whatever may be their opinion, I still say that I am ready to come down and support the Government in carrying their bargain with the Bank into execution.

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*June 24, 1834.*

CASE OF CAPTAIN ATCHESON—MILITARY  
SUBORDINATION. •

The Earl of WINCHILSEA brought forward the case of Captain Atcheson and Lieutenant Dawson, of the Artillery, who had been dismissed His Majesty's service for having, at Malta, remonstrated against being called upon to take part in the religious ceremonies of the Roman Catholics of that island.

*THE DUKE OF WELLINGTON* said :

Nothing, certainly, could be more fair than the statement of the noble Earl; and, in the few words which I have to offer to your Lordships, I shall endeavor to follow his example. In 1823, in

the month of October, a Report was made to me—I being at that time Master-General of the Ordnance—by the Commanding Officer of the Artillery in the island of Malta, stating that these two gentlemen had disobeyed certain orders conveyed to them by their commanding officer—these orders being, to fire certain guns and to have certain bells tolled ; not, as my noble friend states, at the requisition of the priest, but at certain hours, stated in the general order given out. These officers, as I before observed, thought proper to disobey the orders ; and I beg your Lordships to observe, that Captain Atcheson, the gentleman whose case the noble Earl has particularly entered into, had, on a previous occasion, obeyed similar orders. On receiving this report, I conceived it my duty to order these officers to be put under arrest for disobedience, and I sent out an order for that purpose on the day subsequent to that on which I received the Report. On the same day, also, I reported the occurrence of the event to his late Royal Highness, the illustrious person who at that time commanded the army so much to the advantage of the public ; and I received an answer from him, from which it appeared that he entirely concurred with me on the subject of the offence of which these officers had been guilty. I referred it to His Royal Highness to consider whether this officer should be brought to trial before a court-martial for disobedience of orders, or whether I should recommend His Majesty, on their avowal, to strike their names out of the Army List. His Royal Highness stated, in answer, that they had been so avowedly guilty of a positive act of insubordination, if not of mutiny, by disobeying their orders, that he advised me to recommend His Majesty to dismiss them from the service. However, I did not think it expedient to follow that course ; on the contrary, I thought proper to wait until I heard further from Malta, before giving any order for bringing these officers to a court-martial. I beg your Lordships to observe also, that, besides His Royal Highness the Duke of York and myself, another officer of superior rank formed a similar judgment. That person was the Commander-in-Chief in the Mediterranean, General Sir Thomas Maitland, who arrived in Malta on the 5th of November, and who on that day, without any previous communication with me, or with his Royal Highness the Duke of York, gave out an order, in which he stated his sense of the conduct of these officers, that it had been reported to me as Master-General of the Ordnance, and

that not wishing himself to take any immediate step further than to prevent the recurrence of such an act of insubordination, he merely desired that they should be relieved from all duty. He sent me this order in the course of a few days after it was issued ; and as soon as the Report was received, which was the first Report received from the commanding officer in Malta of this transaction, a letter was written by me, on the 28th of November (not on the 28th of December, as stated by Captain Atcheson), in which I requested Sir Thomas Maitland to order a court-martial.

I now come to the charge on which this officer was tried. Captain Atcheson states, and the noble Earl states also, that he was tried because he would not ring a bell. If your Lordships will read the proceedings on the court-martial, you will see that there is not one word about the ringing of a bell. It is perfectly true that, in the order given, he was desired to give directions for the ringing of a bell, but there is not one word on the proceedings of the court-martial about that. Captain Atcheson was not charged with not tolling a bell ; he was charged with refusing to fire salutes. This, my Lords, is the statement of the case ; and all that I can say is, that it appears to me that these officers were guilty of a gross breach of discipline, in not performing the duty assigned to them, and that I never performed an act of more urgent duty than when I put them under arrest, and desired the Commander-in-Chief in the Mediterranean to order a court-martial upon them, for I had not the power to order them to be tried myself, although this gentleman, in his pamphlet, says that I ordered the court-martial. They were tried, however, and found guilty ; His Majesty approved of the sentence of the court-martial, and expressed his approbation in a strong order which he issued upon the subject. My noble friend has adverted to the subsequent revision of the sentence. It is perfectly true, my Lords, that it was revised. The minutes of the court-martial were made up without the defence of the officers being entered upon them. When they arrived in England, I conferred with the Judge-Advocate, and we were both of opinion that the defence ought to be entered on the minutes ; it was accordingly determined that the court-martial should be called upon to revise their proceedings, with a view to enter the defence upon the minutes. This course was adopted, the sentence was revised, and having been approved of by the court-martial, the minutes of the proceed-

ings were returned to England, and the sentence finally confirmed by His Majesty. The minutes are most voluminous, especially on the part of the defence. Much of what is stated is merely hearsay, and many things are stated respecting me which are positively false; at least Captain Atcheson has been entirely misinformed with regard to the subject-matter of those statements; I, therefore, conclude that many other of his statements are of the same unfounded description.

There are two prayers contained in this petition: the one is, that the case of these officers should be considered by the Government; and the other is, that the officers of the British army should, in future, be relieved from the performance of this description of duty abroad. My noble friend has stated, and truly stated, that the Roman Catholic soldiers have been relieved from the necessity of attending the performance of divine worship in the Protestant church; but, my Lords, the regulation which is here complained of does not require Protestant officers of the British army to attend the Roman Catholic worship. There is no act of the mind in all this; it is the performance of a mere duty—a duty of honor—by the officers and soldiers of the army stationed in these foreign Roman Catholic countries. I can assure the noble Earl that it is of the utmost importance that His Majesty's troops, when abroad, should be required to respect the religion of the country in which they happen to be stationed. There is nothing of which the inhabitants of foreign countries are so jealous as the interference, by foreigners, with their religious observances, and more especially by troops who are imagined by those inhabitants to be heretics. Therefore, I beseech His Majesty's Government not to give any such directions as those which my noble friend has suggested. Indeed, I believe that, in some cases, no such directions could be given without a positive breach of treaty; and that in no case would it be possible to act upon them without incurring the risk of exciting disturbance, or at least such a prejudice against the British troops as would occasion them to suffer very severely.

When I say that such directions would be contrary to treaty, I beg to remind your Lordships that there is an article in the treaty with Malta, which states that respect shall be paid to the religion of the country, and that those who shall behave in public with disrespect or impropriety towards the forms and ceremonies of the

established Catholic religion, shall be amenable to the civil police, and may be punished by fine, or imprisonment within their own dwelling-houses. The principle, therefore, of all these regulations as to our troops abroad is, that the religion of the country where they are stationed shall be treated with respect; and, my Lords, we all know very well—I and many of my friends around me, who have served abroad, know well—that it is not only a general order throughout the whole army, but that it is the invariable practice for the troops to pay every respect to the religion and to the religious ceremonies of foreign countries. It cannot be otherwise; and my noble friend may rely upon it, that if such regulations were not observed, consequences of the most serious description would, on many occasions, be the result. What, after all, was the duty required to be performed by Captain Atcheson? It was, as I have stated, no act of divine worship; he was merely required to fire a gun at a certain hour on the tolling of a bell. This he refused to do, and his commanding officer was obliged to call upon a non-commissioned officer to do the duty. Now, suppose, my Lords, the same conscientious scruples had been felt by this non-commissioned officer, and he had refused to do this duty, what must have followed? In the end the commanding officer must have gone himself and fired the gun. I beg your Lordships seriously to consider what might be the consequence of this description of excuse for the non-performance of a military duty. You are told that it is a matter of conscience; but I want to know, my Lords, whether an officer in the army—and if an officer, any other member of the army—is to be allowed to get rid of the discharge of a disagreeable duty upon such a plea? If so, my Lords, there is an end of all discipline in the army. But, my Lords, there is another part of this case which is most important to be considered,—I mean the attempt that is now made to induce Parliament to interfere in such a matter as this. When an officer is found guilty of this description of offence after a regular trial by court-martial, and when the sentence of that court-martial has been approved of by His Majesty, I think it behoves your Lordships to consider well before you sanction the interference of Parliament with a sentence so pronounced and so confirmed. The interference of Parliament ought to be with a view to induce officers to perform their duties, and not with a view to protect them in the non-performance of them.

There is one circumstance with respect to these officers which makes their case a peculiar one. The petition prays that they may receive compensation for the loss they have sustained by their dismissal from the army. It so happens, however, that they are not entitled to any compensation, because, being officers of artillery, they did not purchase their commissions, no officer of artillery being required to purchase his commission. The officers of that branch of the service are educated and brought up in it, and can obtain the rank of captain without paying one shilling for their commission. When a man has purchased his commission, and has been deprived of it by the sentence of a court-martial, there may be some claim for compensation ; but where the commission has been given without purchase, not only is there no claim, but if you were to give money in such a case, it would in fact be offering a sort of reward or premium for disobedience of orders.

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*June 24, 1834.*

PENSIONS (CIVIL SERVICE) BILL.

Earl Grey having moved the Committee on this Bill,

*THE DUKE OF WELLINGTON* said :

My Lords, notwithstanding the very forcible manner in which the noble Earl at the head of His Majesty's Government has stated his views on this subject, I cannot abstain from troubling your Lordships for a few moments, by expressing my opinions with reference to it. Considering the situation in which the Crown is now placed by the various alterations which have been made, I do think that this Bill ought not to be brought here ; more especially when I consider—and I think I may venture to make the observation—that there never was an institution, formed by Parliament for public purposes, so little abused as this. Although it has been established for a great number of years, I think I may make this assertion without fear of contradiction from any one. Now, I beg leave just to read to your Lordships the preamble of the Act of 1817, containing the ground-work of this whole system, because it shows what the object and intention of Parliament was, and, in fact, proves that the establishment of this system was a description

of bargain, made by it with the Crown. The preamble of the Act states, that—

‘Whereas the abolition of various offices will deprive the Crown of a part of the means by which His Majesty has been heretofore enabled to recompense the services of persons holding, or who have held, high and efficient civil offices; and whereas it will be expedient, and necessary, and consistent with sound policy and proper economy, that upon the abolition of various offices of emolument, other means should be afforded to His Majesty, his heirs, and successors, of recompensing the services of the persons who shall have filled them respectively.’

The preamble goes on to state, that it is expedient that His Majesty should have the power of presenting civil pensions, and making proper provisions for the persons holding such offices, they having been removed from the same; and the Act then proceeds to enable His Majesty to grant, for a certain number of years, two-and-twenty pensions, amounting in the whole to 42,000*l.* a-year.

It was stated, my Lords, in another place (I have not been enabled to ascertain on what authority), that the amount of the emoluments of the sinecure offices abolished and to be abolished, in consequence of the grant to His Majesty, was not less than 100,000*l.* a-year. The difference, therefore, will be 58,000*l.* Now, my Lords, out of these twenty-two pensions, only eleven have been granted, not one by the Government of which the noble Earl is the worthy head, and only one by the Administration which preceded the present. I think I may fairly state, therefore, that there never was an institution so little abused by the Ministers of the Crown, even in carrying into effect the purposes of the Act, as the present. My Lords, I need hardly remind you, that the expense and difficulty of getting into Parliament have been of late most enormously increased; in addition to this fact, it is equally notorious, that the emoluments derived from the Bar and other lucrative professions are much greater than they formerly were; and, as professional persons who enter the public service cannot, on their removal from the service of the Crown, return to their former pursuits, I think it is not too much to expect that the Crown should have the power of efficiently rewarding the services of its officers. The reduction in the number and amount of these pensions must tend to diminish the power of the Crown in carrying on the Government of this country. The service of the Crown is certainly, in England, a service of honor; but we must remember

#### 1834. SUPPRESSION OF DISTURBANCES (IRELAND) BILL. 725

the situation in which we place those who quit profitable professions to enter into it; and we must not, my Lords, lose sight of the necessity of holding out to them such inducements as will enable the country to profit by their valuable assistance. But, my Lords, there is another point in which this Bill is highly important. The power of the House of Commons has of late years most enormously increased, and since the passing of a measure to which your Lordships recently assented, that power is exercised in a manner which increases the necessity of maintaining the power of the Crown. I beg your Lordships to recollect the measures which have been recently adopted by the House of Commons, for taking into consideration the claims of private individuals—measures not recommended by the Crown, not recommended by the Government of the country, but positively carried in opposition to their wishes. I do not wish to make any opposition to this question, but I do say, that in deciding upon such a question as this, we are bound to consider all the circumstances attending the situation of the Crown, both in this and in the other House of Parliament. When we consider the Bill in Committee, I shall feel it my duty to propose an amendment in the particular clause to which I allude.

Bill passed through Committee.

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*July 17, 1834.*

#### SUPPRESSION OF DISTURBANCES (IRELAND) BILL.

Viscount MELBOURNE having, in reply to Lord ELLENBOROUGH, stated that a measure for the suppression of disturbances in Ireland would be introduced, in lieu of that then on their Lordships' table on the subject,

The Earl of WICKLOW denounced the conduct of the Government in relinquishing a measure which only a few days before they had declared to be essential to the peace of the country.

The LORD CHANCELLOR said that the measure had been abandoned because it had been found impossible to pass it.

*THE DUKE OF WELLINGTON* said:

It is rather strange, after Ministers had thought fit to bring this measure forward, that the same Ministers, with the exception of the noble Earl (Grey), should announce to the House, through



the noble and learned Lord on the Woolsack, that it is impossible to pass such a Bill through the House of Commons.

The LORD CHANCELLOR : Impossible now.

*THE DUKE OF WELLINGTON :*

I recollect that the noble Earl lately at the head of His Majesty's Government, in the statement which he made to the House on bringing forward this Bill, strongly urged upon your Lordships the necessity of retaining those clauses. In that opinion the noble and learned Lord on the Woolsack on that occasion concurred ; and the noble Earl (Grey) himself particularly stated that he would not consent that the Bill should pass without those clauses. On that occasion the noble and learned Lord rose in his place, and with all the eloquence that belongs to him said, that he considered those clauses of the Bill essentially necessary, and he pointed out the hardship which would exist if they were to prevent the peasantry of Ireland from going out at night, and at the same time allow those persons in Dublin to meet who, by their agitation and inflammatory proceedings, excited the lower orders of their countrymen to outrage and insubordination. The noble and learned Lord would require more ingenuity than even he possesses, though he is much distinguished for ingenuity in this House, to convince your Lordships that when he stated that he would support those clauses as absolutely necessary to the Bill, he thought that there was no likelihood of such a Bill passing the House of Commons. The noble and learned Lord now distinctly tells us that you cannot carry this Bill through the House of Commons. But I do wish your Lordships just to see what this Bill is that his Majesty's Ministers say they cannot carry through the House of Commons. I must say that I for one should be far from desiring that this House should press upon His Majesty's Ministers any measures which they do not think proper. I am ignorant, however, that the House of Lords wishes to press upon His Majesty's Ministers the adoption of any measure that they do not think proper. But, as I have said already, I pray your Lordships first to look at what the measure in question is, and what is intended by it. You will then see what has been done by the noble Earl late at the head of the Government, and what has been left undone, in consequence of the discussions that have taken place in the House of Commons. It appears that the

noble Lord at the head of the Government in Ireland has sent a great deal of information here on the subject. It appears from that information that the outrages which have disturbed Ireland have, since this Act has been in force, been diminished to the amount of more than three-fifths upon the whole, on a comparison of three months in 1834 with three months in 1833. Another consequence of the measure has been, that in a part of the country where the measure had been tried—in four baronies which had been proclaimed—the acts of criminality have been reduced almost to nothing. It further appears that the unanimous opinions of all those persons who have been employed by the Government to carry the law into execution is, that it has been the means of preserving the tranquillity of the country, that the people themselves are anxious that it should be renewed, that the magistrates are anxious that it should be renewed, and that the Government of Ireland is anxious that it should be renewed. The magistrates, in their communications with the Government, expressed that view. Mr. Green, of the county of Kilkenny, where the Bill has been in operation, told them that those parts of the Bill directed against political meetings were essentially necessary to the utility of the measure. Mr. Green told them so in distinct terms. I will read his words to your Lordships. Mr. Green said, ‘There has not been an attempt at agitation since the county and city of Kilkenny were proclaimed. Previously, agitation was the order of the day.’ That is a proof as to the consequences of the measure where it has been in full force. What are the benefits produced by it? Upon that point Mr. Green’s testimony is to the following amount:—‘The people have been and are gradually assuming their habits of industry, as the present cultivation of this country shows, and their manners are evidently changed for the better with those improvements.’ Yet this is the Bill which your Lordships are now told cannot be carried through the House of Commons—the reformed House of Commons. This Bill, which was so much desired by all well-disposed persons in Ireland—this Bill, which was absolutely necessary for preserving the peace of Ireland—this Bill, which the noble Earl late at the head of the Government described as necessary for the preservation of the peace of that country—this Bill, which the noble and learned Lord said it would be unjust to pass without including that portion of it

which was a protection for the people against the agitators,—this is the Bill, which the noble and learned Lord now comes down and tells us, that the Government could not propose to the House of Commons, because it could not possibly be carried through that House. Is it possible that your Lordships are reduced to such a state of degradation? Mark what was stated by the noble Lord at the head of the Government in Ireland as to the necessity of renewing this measure. I have referred to the noble Lord's words on a former occasion; but I will again refer to them, for they are of great importance:—‘These disturbances have been in every instance excited and inflamed by the agitation of the combined projects for the abolition of tithes, and the destruction of the Union with Great Britain. I cannot employ words of sufficient strength to express my solicitude that his Majesty's Government should fix the deepest attention on the intimate connexion marked by the strongest characters in all these transactions between the system of agitation and its inevitable consequence—the system of combination leading to violence and outrage. They are, inseparably, cause and effect; nor can I (after the most attentive consideration of the dreadful scenes passing under my view), by any effort of my understanding, separate one from the other in that unbroken chain of indissoluble connexion.’ It would be impossible for me to quote words to your Lordships demonstrating more completely the absolute necessity of passing this Bill, especially those parts of it which are intended to prevent that agitation which is so pernicious to the tranquillity of Ireland. I might quote many passages from the correspondence to which I have referred to the same effect, from different persons who have been employed by the Lord-Lieutenant of Ireland for the purpose of preserving the peace of that country, without the execution of this measure. It is stated over and over again in that correspondence, that it was the desire of the people themselves, who were suffering from the excitement that was resorted to by means of public meetings in Ireland, that they should be relieved from such dangers by the renewal of this measure, and especially of the clauses to which so much reference has been made. But the noble and learned Lord now distinctly tells us that they cannot carry this Bill through the House of Commons. Why not, at all events, propose it to the House of Commons, and leave it to that House to pass or reject it? Your Lordships sent a Bill down to the House of Commons last Session,

in a very different state from that in which it was sent to your Lordships. Was there any collision between the two Houses in consequence of that? I certainly voted against the measure, and gave it all the opposition in my power, conceiving that it involved principles inimical to the protection of all property. But the majority of your Lordships acquiesced in it. Why, then, not give this measure the advantage of trying whether it would be passed in its present shape by the House of Commons, the more especially as it is a measure approved of by Government, and of which the noble and learned Lord on the Woolsack has particularly stated his marked approbation? My noble friend (the Earl of Wicklow) has been accused of misrepresenting the statement which was made by the noble Earl lately at the head of the Government. I must say that I recollect the noble Earl distinctly saying that a member of the Cabinet had written to the Lord-Lieutenant of Ireland, and had stated to him, as his advice, that he should desire the omission of those clauses from the Bill; that the Lord-Lieutenant had, in consequence of this communication, expressed his desire to accommodate the measure to the views of the Government here, but that he (Earl Grey), very properly, in my opinion, wrote to the Lord-Lieutenant, telling him to consider the measure solely on Irish grounds, and to leave it to him (Earl Grey) to decide what would be proper and wise to propose, and what there would be a chance of carrying in England. The noble Earl had taken that subject into his consideration. I believe that there is no one more capable of judging of the difficulties which he had to encounter than that noble Earl. He decided, however, upon bringing in the Bill; and he said, in that House, that he would insist on carrying it through. Yet the three most important clauses in the measure are to be omitted. I must say that I think the noble and learned Lord was bound by what he had said so recently in reference to those clauses. When we see that the protection to person and property which was afforded by the measure in Ireland is to be withdrawn from it, because it is alleged that a majority in the House of Commons will not agree to the measure in such a shape, I must say, that I cannot but tremble to think of the consequences that may follow such a course of proceeding. I will merely, in conclusion, say that if the noble Viscount opposite chooses to have another Bill instead of that—if he chooses to have a Bill less efficient than that which was

introduced with his own approbation, no difficulty will be thrown in the way of the passing of such a measure by me, or by any noble Lord that I know ; but I will tell the noble Viscount, and I will tell his Majesty's Ministers, that for such a measure he and they will alone be responsible.

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*July 21, 1834.*

POOR-LAW AMENDMENT BILL.

The LORD CHANCELLOR (Brougham) moved the second reading of this Bill.

Lord WYNFORD moved that this Bill be read a second time that day six months.

The Earl of RADNOR supported the Bill.

*THE DUKE OF WELLINGTON* said :

I feel called upon shortly to state the reasons why I shall give my vote in favor of the second reading of this Bill. In the first place, I must say that if it be proper to pass the Bill, I am satisfied that there is ample time during the present Session to go through the Committee with it, and regularly through all its stages, and that it is the duty of your Lordships, without any further loss of time, to proceed with a measure which, if necessary at all, is necessary now. I shall, on this ground alone, vote against the amendment for a postponement. I concur with the noble and learned Lord on the Woolsack, and with the learned Lord opposite, as to the necessity of this measure. I agree first of all in the existence of grievances consequent upon the administration of the existing poor laws ; and while I do not concur in the opinion expressed by the noble and learned Lord (the Lord Chancellor) against the provisions of the statute of Elizabeth, I disapprove of a system of administration which differs in each and every one of the 12,000 parishes in this country, and in each of which different and varied abuses have crept in. I maintain that it is impossible for Parliament to frame any law that can by possibility remedy or apply to the abuses which prevail at the present moment—abuses which are as varied in their character as they are numerous. Hence it has become absolutely necessary that such an appointment as a central Board of Commissioners should be made, with powers to control the whole of the parishes in the land, and to adopt such remedies as will secure a sound administration of the poor laws throughout the country.

The subject has been submitted to the House by several noble Lords, and has also been under the consideration of every Administration that I have known; but no plan has ever been suggested, or scheme proposed, to remove and remedy the evils of the existing laws, which, in my judgment, at all equals the present; and therefore for this measure I return the noble Lords opposite, with whom it has originated, my sincere thanks. The present remedy for the evils of the existing laws is most unquestionably the best which has ever been devised; at the same time I must observe that, as the central Board of Commissioners must necessarily have very extraordinary and full powers, it will be proper that they should keep such a record of their proceedings as will render them liable to the actual control at all times of the Government and Parliament of the country. I doubt much whether the provisions of this Bill give such a control to the Government as will afford a full knowledge to the Parliament at all times of the course pursued by the Commissioners; but in Committee on the Bill I shall consider whether some alteration is not necessary in order to make that control more active. There are several clauses in the Bill, which require much alteration and modification. I entirely approve of the removal of the allowance system, which is one of the greatest evils arising from the existing poor laws; but I am of opinion that it ought to have been gradually and slowly destroyed, and without a fixed day for its termination being specified in the Bill. I would recommend that this clause should be left out, and that power should be given to the Commissioners to carry gradually such alterations in this respect into effect as to them may seem meet. With respect to the clauses of the Bill relating to the laws of settlement and bastardy, I shall reserve myself until the Bill goes into Committee. Indeed, I should not have troubled your Lordships with these few words, but that I was anxious to declare my sentiments upon a Bill which shall have my support.

Bill read a second time.

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July 24, 1834.

In Committee on this Bill,

**THE DUKE OF WELLINGTON** said:

It seems to me, my Lords, that the noble and learned Lord behind me (Lord Wynford) not only misunderstands this Bill,

but the nature of the evil. The noble and learned Lord has talked about the conduct of the magistrates in the administration of the poor laws. My Lords, it is not the magistrates who administer the poor laws; it is the overseers, of whom there is one in every parish in England. All the magistrates have done has been to interfere with the overseers. Now, as I understand the Bill, its object is to restore the original administration, and to bring it back from the hands of the magistrates into those of the overseers. My Lords, I happen to live in the immediate neighbourhood of two of the parishes which are set up as patterns to all other places—I mean the parishes of Cookham and Swallowfield; and I can tell the noble and learned Lord that their example has not been followed by any of the neighbouring parishes. I can account for this in no other way than by their unwillingness to adopt this improved system, voluntarily. Under these circumstances, my Lords, I think there is no cure for the evil, but some measure of this description which shall have the effect of causing the poor laws to be administered in compliance with the original intention. This object once attained, no man will be more happy than myself to see the measure put an end to as speedily as possible.

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*July 29, 1834.*

### DISTURBANCES SUPPRESSION (IRELAND) BILL.

Viscount MELBOURNE moved the third reading of this Bill.

The Earl of R Rox admitted the necessity of the measure.

**THE DUKE OF WELLINGTON** said:

As it appears to be the wish of your Lordships that the debate on this Bill should take place rather on the question of the third reading than on the amendment which it is my intention to move, I shall now address a few general observations to your Lordships, postponing that amendment until after the third reading shall have been—as I hope, equally with the noble Viscount opposite and the noble Earl who has just addressed your Lordships, it will be agreed to. The noble Viscount told you that he does not think the clauses which have been omitted from this Bill, and which were in the Bill of last year, to be absolutely necessary for the peace of Ireland; although my Lords, the noble

Viscount, in the former part of his speech, told you not only that he would have voted for those clauses, and that he did vote for them, and that it was his desire that they should pass, but likewise that he would have voted for nothing—and the noble Earl lately at the head of the Government, when he addressed your Lordships some time ago, in moving the former Bill, also told you that he would have voted for nothing—which was not actually necessary.

Viscount MELBOURNE: I am not aware of having said that I would vote for nothing not absolutely necessary.

*THE DUKE OF WELLINGTON:*

But the noble Earl told us so, as likewise the noble and learned Lord on the Woolsack; and I think that the noble Viscount also said that he would have voted for nothing not necessary to the peace of Ireland. But, my Lords, I go still further than the opinions of the noble Viscount, the noble and learned Lord, and the noble Earl lately at the head of the Government, and the opinion even of this House,—I go to the opinion of two Parliaments, declared in the Act of the year 1828, and the Act of last year. It is publicly stated in the preambles of those Acts, that Parliament had on former occasions declared that this agitation, which it is the particular object of these clauses to put down, was dangerous to the public tranquillity, and inconsistent with the public peace and safety, and with the existence of all regular Government. My Lords, I want to know whether clauses so qualified in the preamble to two Acts of Parliament, thus pronounced necessary by all the Ministers who have taken them into consideration, and passed unanimously by this House in the last Session of Parliament, and by a great majority in the other House,—whether these clauses must be deemed still necessary for the preservation of the peace of Ireland? But that is not the only ground on which their retention stands; see, my Lords, what the Lord-Lieutenant says of them,—see how he describes the state of disturbance in which Ireland is placed. He states, that with all the ingenuity he can apply to the subject, he cannot do otherwise than trace that disturbance to agitation, as the effect to the cause. He says, that in every case he traces it to agitation; and, moreover, it is so traced in every instance by the magistrates who have corresponded with the Government on the subject. My



Lords, this is not all. The noble Earl, lately at the head of the Government, and the Honorable and learned Lord on the Wool-sack, in addressing your Lordships on a former occasion, both descanted for some time on the absolute necessity of passing those clauses in justice to the lower orders of the people, who were restrained by the other parts of the Bill. The noble and learned Lord, in particular, stated that he would not press with the whole weight of his loins on the disturber of the tranquillity of the country, and press not with even his little finger on those who disturbed the tranquillity of the city; that it was absolutely inconsistent with justice to frame clauses for an Act of Parliament, which prevent persons from going out at night,—to assent to what he called the purest part of the Bill, and not to insert those provisions which affected agitation in the city. My Lords, under the circumstances, can the noble Viscount now come down and tell us that these clauses are not necessary for the preservation of the peace of Ireland? The noble Viscount has drawn a comparison between the state of this country and the state of Ireland. He has said, very truly, that this country would not tamely bear such provisions in an Act of Parliament as are to be found even in this Bill which we are now going to pass. But, my Lords, let him show me not only in His Majesty's dominions, but anywhere, such a state of insecurity for life and property as exists in Ireland at the present moment,—let him show me in any country, I care not where it is,—in the wilds of America, Africa, or Asia, such a state of society as exists at this moment in the kingdom of Ireland. I defy him to do so. My Lords, we may talk of the liberty of the people;—give them security for life and property, in the first instance; these are the foundations of society in every civilized state. The liberty of the people, and what is called the rights of the people, to assemble and discuss grievances, and petition the Legislature or the Government, are the creatures of society, not the foundations of society—they are securities for the other benefits of society, and ought to be postponed till those other benefits are in some degree attained. I say that in Ireland they do not exist at the present moment, nor have existed for these three years past, in any degree approaching to security. The noble and learned Lord has frequently told us that the duties of allegiance on the one hand, and protection on the other, are reciprocal. I want to know why the Crown is not to have the power of giving protection

to its loyal subjects in Ireland? Is the King to lose the allegiance of his subjects because he cannot give them the protection which is acknowledged by every man to be their due? The Act of Parliament which was passed last year proved, so far as it was tried, to be entirely effectual. The noble Viscount says that that part of it which is included in the three clauses, and which relates to proclamations for putting down dangerous associations, is not necessary for the peace of Ireland. My Lords, the Lord-Lieutenant says it is; and he likewise says that it is not effectual. All I can say is, that it has proved effectual for the purpose of preventing permanent associations from being formed—for the purpose of preventing adjourned meetings of associations from being held; nay, more, my Lords, the Act from which these clauses were taken—the Act of 1829—was completely effectual, and did prevent meetings of this description in several parts of the country. But I go further, and say it is actually impossible to prevent such meetings by means of this Bill, as it now stands on your Lordships' table. They cannot be put down in large cities, unless these three clauses be adopted; for it is impossible, under that part of the Bill which is copied from the Insurrection Act, to proclaim such a place as the city of Dublin; meetings in such a city can be prevented only by those clauses.

The noble Viscount told us, my Lords, that notwithstanding he should have preferred to pass these clauses, he has abandoned them; and he has also said, that the clauses had been omitted because the Ministers could not pass the Bill in its original shape in another place; but, with great respect to the noble Viscount, I confess I do not give credit to that assertion. I beg the noble Viscount's pardon,—I say it with the greatest respect to him; but my belief is, that there never was a Government that possessed, in a greater degree, the confidence of another place, than the Government of the noble Earl who has lately resigned; and my opinion is, that the Government existing at the present moment possesses, in the same degree, the confidence of the other House of Parliament, as it did when it had the assistance of the talents of the noble Earl on the cross bench, and of his other colleagues, whose resignation preceded his own. But, my Lords, it is the misfortune of the councils of this country, that they must submit to the influence of an individual to whom my noble friend on the cross bench has this night alluded. It is to his influence that the

noble Viscount has given way on this occasion. I admit, however, that if the noble Viscount thought that he could not carry this measure through the other House of Parliament, he was quite right in not making the attempt. I repeat, that the noble Viscount and his colleagues are bound to serve His Majesty to the utmost of their ability, and to make any sacrifice, consistent with the peace of the country, in order to serve His Majesty, as long as His Majesty may require their services. I must, however, say, that if the noble Viscount had determined to carry through the Bill, which he formerly declared to be necessary for the public service, and which he now states that he prefers, we should have had the advantage of that measure for the peace and security of Ireland, instead of the half measure which is now before us.

I have heard, and I confess I have heard it with some pain, that a noble relation of mine, who is the Lord-Lieutenant of Ireland, has changed his mind upon this subject. All that I can say is, that I have seen no evidence whatever of any change of purpose—of any change of opinion of that individual upon this question; and that which makes it positively certain that there cannot have been any change, but that this alleged change of opinion is a mere pretence, is this,—that the noble Earl who was lately in His Majesty's Government (the Earl of Ripon), when he spoke upon this question, as late as the 4th of this month, made no allusion whatever to this alleged change of opinion, and yet that change is stated to have taken place so far back as the 18th of June. Now, I beg to know whether any man belonging to His Majesty's Government, and having this change of opinion within his knowledge, would not have mentioned that circumstance when, on the 1st day of July, he was addressing your Lordships on this subject, if it had been such a change of opinion as he could have relied upon in any manner whatever? The noble Earl, lately at the head of His Majesty's Government, in allusion to some observations that were made on the subject, did, on the same occasion, state to the House, that a letter had been written to him by the Lord-Lieutenant of Ireland; but he added, that it was a private communication, with which the public had nothing whatever to do. I assert, therefore, that we have no satisfactory evidence that the Lord-Lieutenant ever changed his opinion, in the smallest degree, upon this subject. I certainly cannot vote for the third reading of the Bill as it now stands; I shall therefore move the amend-

ment, of which I have given notice, and which I shall do for the purpose of its being entered upon the Journals of the House, but it is not my intention to press it to a division.

Having moved his amendment,

The LORD CHANCELLOR, the Earl of WICKLOW, and the Marquis of WESTMEATH addressed the House.

*THE DUKE OF WELLINGTON* said:

If His Majesty's present Ministers had so chosen, they might not only have carried the Bill with the public meeting clauses in it, but also have retained Earl Grey at the head of the Government. It, however, appears, from the statement of the noble and learned Lord on the Woolsack, that not the contents of the letter written to Earl Grey, but the discovery of its contents, formed the reason for omitting the clauses relating to public meetings. Is it, then, to be supposed that a reformed House of Commons would have so far stultified itself as to reject the Bill as originally introduced, merely because a discovery was made of the letter written to Earl Grey? I do not intend to press the amendment I have proposed to a division, for reasons which must be obvious to every one of your Lordships. I only move it that I may have an opportunity of recording my opinions, and protesting against the omission of the meeting clauses.

Amendment negatived: Bill read a third time and passed.

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The following Protest against the third reading (after amendments had been negatived) of the renewal of parts of this Bill was entered by the Duke of WELLINGTON:—

‘Dissentient:

‘1st. Because the three clauses of the Act of the 3rd William IV., c. 4, which it was the object of the motion to insert in the Bill, were calculated to prevent the evils existing in Ireland, which Parliament had upon former occasions declared to be “dangerous to the public tranquillity, inconsistent with the public peace and safety, and with the exercise of regular government.”

‘2nd. Because the Lord-Lieutenant of Ireland has declared that in his opinion the “agitation” (which it is the object of these clauses to prevent) “of the combined projects for the abolition of tithes and the destruction of the Union with Great Britain, had in every instance excited and inflamed the disturbances existing in Ireland,” which His Excellency has described as being “of a discontented, disorderly, and turbulent character,” such as “secret combination, concealed organization, suppression of all evidence of crime, and the ambition of usurping the Government, of ruling society by the authority of the common people, and of superseding the law by the decrees

of illegal associations." That this system of agitation had for "its inevitable consequence combinations leading to violence and outrage;" that they were "inseparably cause and effect."

'3rd. Because his Majesty's servants have expressed in strong terms their concurrence in these opinions of the Lord-Lieutenant, and their sense of the necessity for adopting measures to meet the system of agitation. They have stated that it is impossible "that a perpetual system of agitation can be pursued without stirring up among the people a general spirit of resistance to the constituted authorities, which breaks out in excesses such as have been described." "That it is not safe to leave the Government unfurnished with the means to prevent an association calling itself the Central Association of Dublin, assuming a political character, carrying on its proceedings with all the forms of Parliament, directing other associations throughout all parts of Ireland, and desiring a general organization for the express and avowed purpose of carrying into effect measures which must be subversive of the security of the country, and destructive of all peace, order, and law." "That it is not consistent with justice to put down the liberties of the people in the country, but not in the city, and that Parliament should press hard with the weight of the loins upon the peasant, but not lay the weight of the little finger on those who, by their conduct, nourish and increase excitement and generalize local agitation." "If the effect, disturbance and outrage, must be put down, the exciting cause must be attended to likewise." "It is an infraction of popular rights when power is given to prevent or put an end to public meetings; but it is not a greater infraction of the constitutional rights of the people, a more decided invasion of the indisputable rights of the King's subjects, than is to be found in the sunset part of the Bill?" "It is necessary to apply a legislative enactment to the exciting cause, as well as to the mischief which that excitement produces."

'4th. Because the principle of the British Constitution, and the object of all our laws, from Magna Charta down to a recent period, have been to give protection to life and property, as well as to secure the liberty of the subject; which last has hitherto been considered as the means to attain and secure the first-mentioned objects.

'5th. Because the protection of the subject by the Sovereign, and the allegiance of the subject to the Sovereign, are reciprocal duties. It appears, therefore, to be the duty of the two Houses of Parliament, convinced by the evidence laid before them of the state of disturbance, outrage, plunder, and murder existing in Ireland, of the insecurity of life and property, of the misery and sufferings of the industrious peasantry and other classes, and of the discontinuance of all habits and pursuits of industry, wherever these outrages prevail, to pass laws to enable His Majesty and those exercising his authority effectually to prevent them, if possible, and to punish those guilty of exciting them.

'6th. Because it appears, from the papers laid upon the Table of this House by His Majesty's Ministers, that the Act of the 3rd William IV., cap. 4, wherever it had been carried into execution, had been effectual in preventing agitation, and, in a great degree, disturbance and outrage, and in bringing to trial those guilty of such offences; that witnesses had come forward to give their testimony of injuries done to themselves or others; that Magistrates and Juries had performed their duties; and that the districts of

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the country in which the Act had been enforced were beginning to feel the effects of returning tranquillity, security, and happiness.

'7th. Because it is obvious that the Bill now under consideration cannot prevent agitation in associations in large towns. Yet it is to these associations that the Lord-Lieutenant attributes the system of violence and outrage, as effect to cause; and he states that he cannot separate the one from the other in the unbroken chain of indissoluble connexion by any effort of his understanding.

' WELLINGTON.	BEAUFORT.	WICKLOW.
ROSSLYN.	FALMOUTH.	SALISBURY.
WHARNCLIFFE.	MOUNT CASHELL.	BELMORE.
MELBOS.	COLVILLE.	WILTON.
FORESTER.	PENSHURST.	SANDWICH.
REDESDALE.	BEXLEY.	PRUDHOE.
ERNEST.	WYNFORD.	GLENGALL.'
LONDONDERRY.	WARWICK.	

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*August 1, 1834.*

### ADMISSION OF DISSENTERS TO UNIVERSITIES BILL.

The Earl of RADNOR moved the second reading of this Bill.

The Duke of GLOUCESTER moved that the Bill be read a second time that day six months.

**THE DUKE OF WELLINGTON** said:

It is my wish, my Lords, on the present occasion, to confine myself to the discussion of the subject matter of the Bill now under your Lordships' consideration, and to lay aside all those parts of the argument of the noble Earl who has moved the second reading of the Bill which have relation to the measure of Roman Catholic emancipation—a measure which has in no degree any connexion with the Bill before your Lordships. The two institutions which it is the object of the present Bill to regulate are chartered corporations—chartered not only by prescription, but by gift of Kings of England, and even by Acts of Parliament. Not only are the Universities themselves incorporated, but several of the colleges are equally so; and yet the object of this Bill is to invade the rights and privileges given by those charters. Under those charters, not only the Universities as a body, but the several colleges, have a right to regulate their own affairs; and I am not aware that any complaint has been presented to either branch of the Legislature as to the mode in which their affairs are regulated or

conducted ; and yet, in the absence of any complaint, the object of this Bill is to force those chartered bodies to make an alteration. The noble Viscount at the head of His Majesty's Government assured your Lordships the other night that it was his intention to maintain the institutions of this country, and I therefore call on the noble Viscount this night to vote for the amendment of the illustrious Duke near me ; for never was there such an invasion of the established institutions of the country as that proposed by this Bill, even though its provisions were confined to the Universities of Oxford and Cambridge. I have already stated that these are chartered institutions, and that for nearly three hundred years their charters have existed and been carried into effect ; and yet, on no cause stated (except that it would be desirable to alter the regulations, because a certain number of persons suffer from them), the whole are to be repealed, in order that these individuals may enter within the pale of these institutions ; that is the real question your Lordships have to decide this night. The noble Earl who moved the second reading of this Bill has stated very fairly that there is a great difference between the regulations of Oxford and Cambridge. It is true that there is a difference in the regulations applicable to these two institutions ; but the difference is more apparent than real ; there is little difference in fact. In the University of Cambridge persons may matriculate without subscribing to the Thirty-nine Articles, or without (I believe) taking the Oath of Supremacy.

The Duke of GLOUCESTER : No, no.

*THE DUKE OF WELLINGTON :*

It seems I am wrong in that. Well then, they may matriculate without subscribing the Thirty-nine Articles. In the University of Oxford they must subscribe the Thirty-nine Articles and take the Oath of Supremacy at the moment of matriculation, if they are more than a certain age. Now the noble Earl says, why not put the University of Oxford on the same footing as the University of Cambridge ? Why, that is not the meaning of the Bill before your Lordships. The Bill does not say that. What the Bill says is this—persons shall enter the University without subscribing any article as a test, or taking any oath on matriculation ; and, moreover, that they shall take their degree without taking such oath. That is the meaning of the Bill, and that involves a

great question. When persons take their degrees, as the Royal Duke has told us, they become members of the corporation—members of the senate, and they take on themselves a share of the government of the corporation. This is just the point at which it was determined at the University of Cambridge that persons should not arrive who are not members of the Established Church. When we come to the question of law, I would ask, is there no difference between admitting Dissenters by sufferance—between allowing them to come in, and, as the Royal Duke says, not knowing them as Dissenters (there being, as the noble Earl has stated, no inconvenience resulting from their admission)—is there no difference between that sort of admission and their admission under an Act of Parliament? Will the noble Earl pretend to tell us that it is the same thing to let Dissenters in under the right given to them by the Bill, as it is to admit them by sufferance, not knowing, as the Royal Duke has put it, that they are there? There is all the difference in the world, and more particularly as regards this very question. It is on this very ground I would contend that the two Universities stand nearly in the same position. When Dissenters come to be admitted into the corporations by a right derived from this Bill, why the rules and regulations of the Universities—the rules of all the Colleges in respect to discipline—most particularly those rules and regulations which require instruction in the doctrines, discipline, and rites of the Church of England—every one of these must be departed from when we give Dissenters the right, under the clauses of this Act of Parliament, to be admitted to the Universities. I have argued the question hitherto in regard to the University of Cambridge. I now come to speak of Oxford, which stands on somewhat different grounds; but I have no more scruple in defending the University of Oxford on this ground than I have in defending the University of Cambridge. In the University of Oxford the rule is, that when persons matriculate they shall subscribe the Thirty-nine Articles and take the Oath of Supremacy. Now the noble Earl has gone into a long argument on the statute to prove that the intention was that the young man was bound by the declaration he made, at the moment of making it, to make oath that he has a thorough understanding of it in all its parts. I contend, however, that it has been explained by several Right Reverend Prelates, and by one Right Reverend Prelate in particular (the Bishop of Exeter), that such was not the intention with



which the declaration is subscribed ; but the noble Earl himself, in the course of his discussion of this question, quoted the opinion of Dr. Johnson, who stated that the declaration was not made in the sense for which the noble Earl contends. The submitting of this test on matriculation at Oxford is founded on a statute of nearly three hundred years' standing, and it has been a regulation at Oxford during the whole of that time. I never heard that any inconvenience resulted from it or that any complaints were made against it. On the contrary, I have always heard in this House, in the other House, and, in short, throughout the country, that the system of education at the University of Oxford, from that time to this, has given the utmost satisfaction. I have heard no complaints whatever, either respecting this mode of matriculation, or any other matter connected with the system of instruction. The explanation given by the Right Reverend Prelate of Exeter, indeed the very reason of the case, shows what the declaration must be intended as—that it must be intended as evidence that the person who makes it is of parents who belong to the Church of England, and not that the gentleman who signs the declaration must believe everything contained in the Thirty-nine Articles. But the noble Earl argues that there is nothing in this regulation of the statute which could prevent the admission of schismatics or atheists into the Universities. I entirely agree with the noble Earl. I admit that schismatics and other individuals of that description cannot be prevented by this or by any other regulation from obtaining admission to the Universities ; but I contend that this regulation prevents the admission of persons into the Universities whose object is to introduce there schisms and divisions. On this ground it is that the University of Oxford stands on the same foundation as the University of Cambridge. The object of both is, not to prevent one such individual from entering—it is not in their power to do so—but to prevent large numbers of such persons from coming in, who, if they entered by right, would object to allow the studies of the Universities to be continued—who would endeavor to establish their schisms and dissent—who would make efforts to effect that separation which it is our duty to prevent. I think I have now shown the grounds on which the University of Oxford stands, and the grounds on which the University of Cambridge stands, and that they both stand, in principle, on nearly the same grounds—namely, that the introduc-

tion of persons into these Universities who are not of the religion of the Church of England is not desirable, on account of the peculiar nature of the studies that are pursued. They stand on the same grounds with respect to degrees. By taking a degree a man becomes a member of the corporation, and as a member he is entitled to a share in the Government of the University. There is another most strange charge which has been made by the noble Earl; indeed, I am surprised to hear the noble Earl make such a statement. The noble Earl prefers this strange charge, that the young gentlemen who go to Oxford—(the charge is peculiar to Oxford, for the same thing is not done at Cambridge)—that the young gentlemen who go to Oxford are sworn to the observation of statutes which they know are continually broken, and which they must know they will not and cannot keep. I have not the statutes of the University of Oxford in my hand at this moment, but I am assured by some of my noble friends near me that the oath taken by the young gentlemen at Oxford is either to obey the statutes or to submit to the punishment inflicted for not doing so. That is the amount, the real amount, of the charge of perjury which has been preferred by the noble Earl against the University of Oxford. The noble Earl, by way of sustaining this charge of perjury, has compared those oaths to the oaths of qualification taken by members of the House of Commons. I will tell the noble Earl that the oaths taken at Oxford are not at all similar to the oaths of qualification in the House of Commons. They do not stand at all upon the same ground. The oath taken by the young gentlemen at Oxford is, as I have already said, “either” to obey the statutes, “or” to suffer the penalties prescribed for their violation. But the oath of qualification in the House of Commons is quite a different thing. I am informed by some noble Lords who have experience in the House of Commons, that members sometimes take the oaths of qualification who did not possess the property to entitle them to do so. I must say that I never heard a more unfortunate charge than that to which I have just referred, and which has been made by the noble Earl against the University of Oxford. In order to do justice to the question, it is necessary for me to go a little further, to sift the matter to the bottom. The admission of the Dissenters to degrees in the Universities would be completely destructive of the whole system of collegiate discipline and education—of that system of collegiate discipline which is

founded upon the donations, the foundations, and the charters of the Colleges, and of that religious system which considered it necessary that the persons who received their education at the Universities should be members of the Church of England, and who attend upon its rites. There is this difference between the University of Dublin, which has been quoted, and the Universities of Oxford and Cambridge, that in Dublin there is little or no residence on the part of the young gentlemen who receive their education there. They live in the town, with few exceptions, and there is not, therefore, the same necessity in the Dublin University for those rules and regulations respecting education and the attendance on religious duties which exists in the Universities of Oxford and Cambridge. The system of education at the Universities of Oxford and Cambridge is founded exclusively upon the religion of the Church of England. It is not only that young gentlemen are educated there in literature and science, but they are taught their duty towards God and man, by learning the religion of the Church of England, by being taught what Christianity is, by learning their duty towards their Maker and their fellow men. Will any man tell me that those studies would not be interrupted by the admission of the Dissenters into those institutions? It is quite impossible that the whole course of religious education should not be disturbed. It may be said that the introduction of the Dissenters into the Universities would not prevent this system of education from going on; but how would it be possible to enforce it? If a number of those dissenting gentlemen should be admitted into the Universities, who would have a right, under this Act of Parliament, not to attend to those collegiate rules and regulations, how would it be possible to enforce their observance upon those young gentlemen, members of the Church of England, who might happen to be in the same Colleges at the same time? I wish to know whether the consequence of taking such a step would not be to produce dissent and schism throughout the Universities, and finally to perpetuate differences, distinctions, and disunions in them. Such is the opinion of those who are best able to form an opinion on the subject: such is the opinion of those who have written upon the subject from long experience. We are told by these authorities that such would be the consequences of this proposed introduction of the Dissenters into the Universities. We are told also that in institutions which have

been founded for the purpose of educating ministers for the several Dissenting persuasions it had been found impossible to adhere to any particular tenets, and that it was at last perceived to be necessary to give up an object which experience showed to be impracticable. I have heard a good deal about the union between Church and State. I cannot forget having heard the noble and learned Lord on the Woolsack on a former evening declare his firm determination to maintain the union between Church and State. Now it is worth while to consider a little what the nature of that union is. I have heard the noble and learned Lord define the meaning of that union on a former occasion. I have heard also many other noble Lords express themselves in favor of the union of Church and State, and their determination to maintain it under all circumstances. Now I really feel that those noble Lords do not look very nicely to the meaning of the words. I will confess that it appears to me that, in speaking of the union of Church and State, many of those noble Lords seem to look upon it as a sort of political connexion—that is to say, they look to the patronage which the Crown enjoys in the Church—to the power which His Majesty has of presenting certain persons to certain ecclesiastical dignities and preferments, and of conferring benefices and livings upon others. But, in my opinion, we ought to regard the union of the Church and the State as of a much higher order. I consider that there is a spiritual union between the Sovereign and the Church. His Majesty is declared by Act of Parliament to be the supreme head of the Church on earth. By the same Act of Parliament His Majesty is authorised to visit all colleges, schools, and other similar institutions of Royal foundation, and he is required to prevent in them those very schisms, dissensions, and disorders which are likely to occur if this Act of Parliament should be passed. I will therefore say that His Majesty is bound, as the head of the Church, and by the authority which he possesses as the head of the Church, I will say that as such he is bound by the Act of Parliament which gives him that authority to prevent schism, dissensions, and disorders in those Universities—he is bound to see that in those Universities the true doctrines of the Gospel, the doctrines of the Church of England, are maintained and taught, and nothing else. I will assert that this is the real meaning of the union of Church and State, and not a political union of Church patronage, or of anything else that may be connected with the

kingly authority. Besides, it should be recollected that the King has sworn to maintain the laws of God and the true religion of the Gospel. I know that a convenient doctrine has been held in this House respecting the King's oath, and that it has been said that an Act of Parliament may free His Majesty from it. I do not wish to argue that question now. I do not feel desirous on this occasion to enter into the question as to how far His Majesty should be considered bound by that oath, nor do I wish to impose my opinion concerning the question upon my Sovereign; but this I will say, that that oath has been imposed by Act of Parliament upon two Sovereigns in the course of the last twelve years. That oath contains the explicit declaration of a principle, and that principle is this—that the King of this country shall maintain the laws of God and the true profession of the Gospel. That this is the principle which is contained in this oath it is impossible for any man to deny. Now, that being the case, it is quite impossible that we can assent to pass this Act of Parliament. We cannot approach our Sovereign with this Bill and desire his assent to it, knowing, as we do, that it goes to overturn every principle contained in his oath. I have now gone through all the points to which I thought it necessary to call your Lordships' attention. I have shown that these are regularly chartered institutions; that they are founded for certain objects and upon certain principles; that their object is to educate persons for the Church of England and in the principles of the Church of England; that if any abuses exist in them, it may be safely left to themselves to detect and to correct them; that the leading principle of these institutions is the maintenance of the religion of the country, and the instruction of the country in the doctrines of the Church of England; that danger would follow from introducing Dissenters into those institutions; and, finally, I have shown that, considering the nature of the oath which has been taken by the Sovereign, it would be impossible for us to present such a Bill as this to His Majesty for his assent. Upon all these grounds I must vote against the measure.

Bill rejected by a majority of 187 to 85.

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*August 5, 1834.*

FOREIGN POLICY—SPAIN AND PORTUGAL.

The Marquis of LONDONDERRY moved for 'Copies or extracts of all correspondence or information that had led to the Treaty between the King of England, the Queen Regent of Spain, the King of the French, and the Duke of Braganza, Regent of Portugal, signed at London, 22nd of April, 1834.'

Viscount MELBOURNE opposed the motion.

*THE DUKE OF WELLINGTON* said :

If I had no other reason to induce me to refrain from taking part in the present debate, I should have a sufficient motive in the conviction which I entertain, that at the present moment a discussion upon foreign affairs is untimely, and, therefore, I think that the present motion should not have been brought forward just now. It is a fact that the public attach at present no importance to the present discussion. They are more anxious about the internal situation of this country—England—and much as this subject might have interested them some years ago, it has not, I think, the same attraction at present. I should possibly have avoided addressing your Lordships at all on the present occasion, were it not for the concluding words of the noble Viscount who has just addressed the House. In what I have to say I shall leave out of question altogether those topics, however interesting, to which my noble friend addressed himself in the first instance, and I shall confine myself to the treaty on which my noble friend has moved for information, and to those topics immediately connected with it. It has always appeared to me, that if ever there was a transaction inconsistent with the policy of Great Britain, it is the present treaty. The object of the policy of Great Britain, from the most ancient times, has been to keep the two Powers of the Peninsula independent of each other, and both independent of France. The object of the present treaty is to make them both dependent on each other, and both dependent upon France. The treaty which lies upon your Lordships' Table is, of all I have ever seen, the most opposed to the political system upon which this country has ever acted. Besides, that treaty, in fact, tends to introduce foreign arms into Portugal, and it tends to introduce foreign arms into Spain; and for what purpose? For the purpose of interference in the internal government of those countries—not of interference

casually, but for the purpose of perpetual interference in the internal affairs of those countries. That treaty is not only opposed to all the policy of this country, but it is also opposed to the declaration of non-interference with the civil affairs of other countries. The noble Viscount has said, over and over again, that we never had any intention of interfering with the internal affairs of Portugal, and the answer of his Majesty to an address of your Lordships on the same subject, declared that everything had been done to preserve neutrality. In fact, no principle has been laid down more distinctly than this, that we are not to interfere in the affairs of Portugal, yet, in defiance of this, we have not only interfered, but have got allies to join with us in that interference. According to the noble Viscount's speech, the Spaniards were prohibited from entering Portugal, when Ferdinand wished to render assistance to Don Miguel ; and in the same speech he admits that the invasion of Portugal by the Spaniards was the principal object of the treaty. Yet see what inconsistency there is in such statements. Why, the Spaniards entered Portugal six months before the treaty was signed, yet we are told that it was in consequence of the treaty that the Spanish troops entered Portugal. I should be glad to know the meaning of the treaty. The preamble contains an extraordinary number of objects in it, and it appears to be the object of the Four Powers to settle the governments of Spain and Portugal, although, as I understood the noble Viscount, the expulsion of Don Carlos from Spain was its only object. But a very remarkable circumstance has occurred, which shows that the treaty has some object in contemplation beyond this, and this is the mode and date of this treaty. By the concluding article of the treaty it is arranged that the ratifications of the respective Powers shall be exchanged within one month after the treaty is concluded, and be delivered in London ; but on the 4th of June the noble Earl came down to the House, and stated that the ratifications had not been thus exchanged. The Regency of Portugal had returned their instrument of ratification without the preamble, and it was necessary on account of this irregularity to have another signed ; but, instead of directing this ratification to be exchanged, as the treaty required, at London, His Majesty sent his ratification to Lisbon, whereas they ought to have been exchanged in London. Now, before this could have been done, Don Carlos and Don

Miguel had both retired from Portugal ; and if ever there was a treaty useless for any purpose, it was this, which had for its object the expulsion of Don Carlos from Portugal, when he had actually left the country. But if by this treaty we are really to interfere in the internal management of the two countries of the Peninsula, all I can say is, that we were entering upon a series of operations of which no two Peers in that House will see the conclusion. I think that it is not desirable that we should enter into an alliance with France to interfere with the internal management of these two countries, and not only without the concurrence but against the inclination of the other Powers of Europe. I am sorry to say, that England has now lost the position which she formerly occupied in the councils of Europe, the great influential and benevolent position which enabled her not only to preserve peace by her advice, but to preserve harmony and a good understanding between other Powers. I will not enter into the consideration of the Salic law ; His Majesty has thought proper to acknowledge Isabella II., the daughter of Ferdinand, in preference to another relation. For the events which placed her on the throne Ministers ought to have been prepared, and by settling the succession of the crown of Portugal, as they might have done, they would have averted the consequences of civil war in both countries.

Motion negatived.

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*August 7, 1834.*

POOR-LAW AMENDMENT BILL.

In Committee on this Bill,

**THE DUKE OF WELLINGTON** said :

When the subject of the clauses relating to bastardy was under the consideration of the Committee, I gave my vote in favor of the arrangement as it now stands in the Bill ; but, at the time the measure was brought into this House, it contained three clauses which had a tendency to soften considerably the extreme principle of that arrangement. Their object was, to enable the overseers to come upon the man, and enforce payment



of the expenses incurred by the parish in maintaining the child. But to this end it was necessary that the man should be discovered ; and the discovery was liable to the same evasions as in the original bastardy laws. Under these circumstances the Committee rejected the clauses, in my opinion very properly. But they then left the principle of the measure in all its rigour : and my noble friend near me (Lord Wharncliffe) gave notice of certain clauses which he intended to propose with a view to soften it,—he now states that he does not intend to propose them. Under these circumstances, feeling that something ought to be done to mitigate the extreme harshness of the original principle, I beg to state that I shall, to-morrow, after the third reading, propose them for adoption by your Lordships.

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*August 8, 1834.*

In Committee on this Bill,

*THE DUKE OF WELLINGTON* said :

I now beg to propose the clauses of which I last night gave notice. Their object is to substitute some relaxation of the extreme principle of the Bill for the clause called Mr. Miles's clause, and omitted by your Lordships ; and the mode in which it is proposed to effect it is, by rendering the father of an illegitimate child liable for its maintenance, not exactly on the oath of the mother, but on her oath corroborated by other evidence. There are other provisions contained in them, which your Lordships will best learn if I read the clauses through. They are to this effect :—

‘ And be it enacted, that when any child shall hereafter be born a bastard, and shall, by reason of the liability of the mother of such child to provide for its maintenance, become chargeable to any parish, the overseers or guardians of such parish, or the guardians of any union in which such parish may be situate, may, if they think proper, after diligent inquiry as to the father of such child, apply to the next General Quarter Sessions of the Peace within the jurisdiction of which such parish or union shall be situate, after such child have become chargeable, for an order upon the person whom they shall charge with being the putative father of such child, to reimburse such parish or union for its maintenance and support ; and the Court to which such application shall be made shall proceed to hear evidence thereon, and if it shall be satisfied, after hearing both parties, that the person so charged is really and in truth the

father of such child, it shall make such order upon such person in that respect as to such Court shall appear to be just and reasonable under all the circumstances of the case : Provided always, that no such order shall be made, unless upon the evidence of the mother of such bastard child, nor unless such evidence shall be corroborated in some material particular by other testimony to the satisfaction of such Court, nor if it shall appear that the mother of such bastard child had at some previous time been delivered of another bastard child : Provided also, that such order shall in no case exceed the actual expense incurred, or to be incurred, for the maintenance and support of such bastard child while so chargeable, and shall continue in force only until such child shall attain the age of seven years, if he shall so long live : Provided also, that no part of the moneys paid by such putative father in pursuance of such order shall at any time be paid to the mother of such bastard child, nor in any way be applied to the maintenance and support of such mother.

‘ And be it enacted, that no such application shall be heard at such sessions, unless fourteen days’ notice shall have been given, under the hands of such overseers or guardians, to the person intended to be charged with being the father of such child, of such intended application ; and in case there shall not previously to such sessions have been sufficient time to give such notice, the hearing of such application shall be deferred to the next ensuing General Quarter Sessions : Provided always, that whenever such application shall be heard, the costs of the maintenance of such bastard child shall, in case the Court shall think fit to make an order thereon, be calculated from the birth of such bastard child, if such birth shall take place within six calendar months previous to such application being heard ; but if such birth shall have taken place more than six calendar months previous to such application being heard, then from the day of the commencement of the six calendar months next preceding the hearing of such application : Provided also, that if, upon the hearing of such application, the Court shall not think fit to make any order thereon, it shall order and direct that the full costs and charges incurred by the person so intended to be charged in resisting such application shall be paid by such overseers or guardians.

‘ And be it enacted, that if such person so intended to be charged shall not appear by himself or his attorney at the time when such application shall come on to be heard before such Court, according to such notice, such Court shall nevertheless proceed to hear the same, unless such overseers or guardians shall produce an agreement under the hand of such person to abide by such order as such Court shall make thereon, without the hearing of evidence by such Court : Provided always, that such Court may, notwithstanding such agreement, require that evidence shall be given in support of such application if it thinks fit, before such order is made.

‘ And be it enacted, that whenever such overseers or guardians shall have determined to make such application as aforesaid, it shall be lawful for one justice of the peace, at the request of such overseers or guardians, to summon the person so intended to be charged with being the father of such bastard child to appear before him ; and if such justice shall be satisfied that such person has any intention to abscond or keep out of the way in order to avoid the consequences of such application, such justice may require such person to

enter into a recognizance to appear and answer thereto; and in case such person shall refuse or neglect to enter into such recognizance, may commit such person to the gaol or house of correction of the county, riding, or division, within which such parish shall be situate, until he shall enter into such recognizance, or until such application shall be heard.

‘ And be it enacted, that if at any time after the expiration of one calendar month after an order shall have been made in pursuance of such application, it shall appear to one justice, upon the oath of any one of such overseers or guardians, that the payments directed to be made by such order have not been made according thereto, and are in arrear, it shall be lawful for such justice, or any other justice, by warrant under his hand and seal, to cause such putative father of such bastard child to be brought before two justices of the peace; and in case such putative father shall refuse or neglect to make payment of such sum of money as shall appear to such justices to be due from him under such order, together with the costs of apprehension, it shall be lawful for such or any two justices to proceed to recover such sum and costs by distress and sale of the goods and chattels of such putative father, or by attaching the wages of such putative father for the recovery of such sum and costs, in the same manner as wages may be attached under the provisions of this Act.’

My Lords, it appears to me that these clauses will have the effect of mitigating the severity of those provisions of the Bill, which have occupied so much of your Lordships’ attention to-night; while, at the same time, they are free from the objection, that they can in any way tend to increase the crime of perjury. I move, therefore, that they be inserted.

Amendment negatived.

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August 11, 1834.

### TITHES (IRELAND) BILL.

Viscount MELBOURNE moved the second reading of this Bill.

The Earl of ELLENBOROUGH moved that the Bill be read a second time that day six months.

The Marquis of LANSDOWNE and Lord DUNCANNON supported the Bill.

The Earl of WINCHILSEA and the Earl of MANSFIELD supported the amendment.

The Lord CHANCELLOR supported the Bill.

*THE DUKE OF WELLINGTON* said :

I concur with the noble and learned Lord, that this is a most important subject—that it is one which it behoves the House to consider with the utmost attention, and that it is their duty to see

what effect it may have on the Church of Ireland. The noble Lord approves highly of this measure ; but allow me to explain to him that it was his duty, before this measure was introduced into Parliament, to have considered with his colleagues a measure which should have been efficient for the benefit of the Church of Ireland, and to have introduced such a measure in the other House of Parliament, instead of bringing forward a Bill of this description. The noble Lord and his colleagues brought forward, in the other House of Parliament, a measure which I will show to be entirely distinct from this—distinct in principle and practice. and in relation to the benefits it conferred on the clergy of Ireland. My Lords, I approved of the measures brought forward by the noble Lord and his colleagues, at an earlier period of the Session ; and if I show the noble Lord that that is entirely distinct from this measure, I think I have some claim on his vote for the rejection of this measure. My Lords, it is since His Majesty's Government lost the assistance of certain Right Honorable Gentlemen in the other House, and certain noble Lords, noble friends of mine in this House, that the measure has been changed ; and I must say, my Lords, that it is an additional reason for lamenting the absence of those persons from His Majesty's Councils, that their absence was immediately followed by such a measure at this. The point which I most entirely disapprove of in this measure is, that it places the parochial clergy of the Church of England in Ireland in the situation of stipendiaries of the State. Their incomes are to be paid by the Commissioners of Woods and Forests, under the orders of the Ecclesiastical Commissioners, and moreover, they are to receive a certain sum of money from the Consolidated Fund. Thus the clergy of Ireland will, in point of fact, become the stipendiaries of His Majesty's Government. It is a most important question in respect to the independence of the church and the situation of the clergy. The noble and learned Lord has told us that these gentlemen cannot lay their hands on their property. It is true they cannot, unless the Government preserve peace. If the Government preserve peace, they will lay their hands on their property. That is the case with respect to every other property in Ireland. The peace of the country depends entirely upon His Majesty's Government. No man can approve of the administrative measures of His Majesty's Govern-

ment in Ireland. If they had met the disturbances with energy—if they had carried into effect the Proclamation Act—if they had renewed it when they ought—if they had not given patents of precedence to a gentleman who had been convicted of a misdemeanor—if they had omitted to reward that gentleman, who had flown in the face of His Majesty, they would have put an end to these tithe disturbances; and, if they had done that, we should not have been in the state in which we find ourselves at the present moment.

Let me now draw a comparison between the measure brought forward by the Government at the commencement of the Session and the measure at present under our consideration. The object of the measure originally introduced by the Right Honorable Gentleman, the Secretary for Ireland, was to give value to property and tithes by vindicating the laws, and, having given that value to property, then by degrees to create a rent-charge, with a view to the final redemption of tithe. These were the principles upon which the Bill was brought in. The clergy did not become stipendiaries for ever, as they will become under this measure, but they became stipendiaries only for a certain limited period, till it should be possible to redeem the tithes, and convert their property into land. The vindication of the law is now laid aside altogether. Instead of vindicating the law, your Lordships are to proceed to do something for the peasantry,—that is to say, that the peasantry having been in a state of insurrection against tithes for the last three years, your Lordships are to pretend to abandon two-fifths of these tithes, in order that you may do something for the peasantry. It appears that tithe in Ireland averages about 15*d.* an acre,—we are to gratify the peasantry by striking it down to 10*d.* an acre. But it is idle to suppose that this reduction of the tithe—this abandonment of two-fifths of the amount of tithe—will benefit the peasantry. It will benefit the landlord, and it will benefit no one else. Then the deficiency occasioned in the Church revenue by this abandonment of a portion of the tithe, is to be made up, to the extent of one-fifth—that is to say, to an amount of about 125,000*l.* a-year—out of the Consolidated Fund, which is to be repaid from the funds in the hands of the Ecclesiastical Commissioners in Ireland. But it has been doubted whether the Ecclesiastical Commissioners have, in fact, sufficient funds for this

purpose. I maintain that they have not ; and I maintain further, that it is a perfect delusion to say that the Consolidated Fund can ever be repaid out of any funds at the disposal of the Ecclesiastical Commissioners in Ireland,—the thing is utterly impossible. There are two funds under the control and management of the Ecclesiastical Commissioners,—the one called the Perpetuity Purchase Fund, and the other the general fund derived from the revenues of discontinued sees, the tax upon the larger benefices, the instalments annually paid in repayment of the loan for rebuilding glebe-house, and the money derived from a variety of other sources,—constituting, in the whole, a very considerable sum. But when, from the funds so derived, and so lying in the hands of the Ecclesiastical Commissioners, we come to deduct the necessary expenses of providing for the due performance of Divine Service, the repairs of churches, the payment of clerks' salaries, and the variety of other expenses necessarily attendant upon the establishment, it seems that the very utmost surplus that the Commissioners can have left in their coffers will be 25,000*l.* a-year ; and this is all that it will be in their power to offer in repayment of the 125,000*l.* a-year to be advanced out of the Consolidated Fund. I admit that the clergy of Ireland run a great risk of losing their property if something be not done : but there appears to me to be as great a probability of their receiving their dues under the present system, as there can be of their receiving them under this Bill. We are told, that it is absolutely necessary for the pacification of Ireland to put an end to all these questions and disputes with respect to tithe. That is not a new doctrine : it was held long ago. In the year 1823, a Right Honorable Friend of mine, (Mr. Goulburn,) brought in a Bill for the purpose of accomplishing a composition of tithes, and my Right Honorable Friend so far accomplished his object, that the composition which he proposed was almost immediately adopted over two-thirds of the whole extent of the country. These compositions have remained in force for ten years, and have been productive of very beneficial consequences ; but there are clauses in the Bill now before us, by which every one of those compositions would be completely overturned, not only upon grounds the most futile, but positively upon no ground at all. Then, Mr. Stanley, seeing the advantages which had resulted from my Right Honorable Friend's measure,

introduced a Bill to make composition for tithes compulsory all over Ireland. That Bill is also to be completely overturned by the measure now under our consideration. Under all these circumstances, satisfied that this Bill will be productive of no substantial advantage to the peasantry of Ireland, whilst the necessary effect of it must be to diminish in a very great degree the income of the clergy of that country, I trust that your Lordships will see the propriety of rejecting it.

Bill negatived by 189 to 122.

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*August 12, 1834.*

### CINQUE PORTS PILOTS BILL.

Lord AUCKLAND moved the second reading of this Bill.

*THE DUKE OF WELLINGTON* said :

My Lords, I oppose this Bill on behalf of a certain body of men who have come under my directions for the two years during which I have been Lord Warden of the Cinque Ports. The institution with which they are connected, like other institutions, is, no doubt, liable to abuse ; but I have given every attention in my power to the system, with a view to put an end to all the abuses in it ; and I have reason to believe that the present working of the system gives satisfaction to the persons most interested in it ; and I confess I was surprised at the noble Earl presenting the petition which now lies on your Lordships' Table. The Cinque Ports are an institution as ancient as the first of those of which we read in the history of this country. It has always been managed by the same description of persons. It is regulated by particular Acts of Parliament ; and particularly, by a very well-considered Act brought in by a Right Honorable Friend of mine, the late Mr. Huskisson. It is perfectly true, that the pilot-vessels cruising off Dungeness, for the purpose of supplying pilots to ships coming up the Channel, were, of late, not so attentive in putting pilots on board as they ought to be. I have been engaged in an inquiry into this matter within the last twelve months ; and I have reason to believe that since the present regulations have

been established, not a single ship has come up the Channel without a pilot on board, and that the merchants are now perfectly satisfied. The noble Lord has stated that the boatmen are in the habit of rendering assistance to the ships, but that they do not receive anything for their services. That is a statement I entirely deny. I am aware that the fact is so stated in the Report of the Committee of the House of Commons; but if your Lordships entertain any doubt upon this subject, I request you will institute an inquiry into the whole proceedings of this Establishment. Do not, my Lords, destroy an institution of this description, without the previous measure of establishing some inquiry upon oath. The objection I have to the first clause of the Bill is this—these boatmen will, by this clause, have it in their option, if they think proper, to cruize on the western side of Dungeness. There is not a word in the clause to prevent them from going beyond that point; but inasmuch as the pilots themselves cannot go to the westward of Dungeness, the consequence must be this—namely, that the boatmen will get on board the ships, and take them up to Dover or Deal, through the Downs into the river, while the pilots may cruize from one point to another, within the limits of their jurisdiction, and never have to perform any duty, or receive any remuneration, such as the Legislature intended they should have, for their labor.

I was told that means should be taken to prevent these boatmen from cruizing beyond Folkestone, but no such provision has been introduced into the Bill: they will, therefore, take away the business of the pilots. A further objection to this clause is, that these boatmen are not educated for the service of pilots, and have not the necessary knowledge; the public, therefore, cannot rely upon them. The reason why I know that they have not that knowledge is this:—Within the last season I had two of them examined, with a view to see in what way they were taught; and they were found, both of them, to be so ignorant that they could not be appointed pilots. Therefore, if you pass this measure, you will destroy an establishment which is now quite efficient, and will substitute one which is not efficient; by which proceeding you will necessarily put merchant-ships in peril.

With regard to the 2nd clause, which provides that these boatmen shall be employed by the outward-bound ships to land their



pilots on the coast, I would observe that these pilots are not Cinque Port Pilots, but Trinity House pilots. Now, I am quite willing to admit that the boatmen should be permitted to enjoy any advantage that can fairly be put in their way ; but it is my duty to tell your Lordships, and it was the noble Lord's duty to tell you, that, if you pass this clause, you will impose an additional charge upon the merchants of this country. Every vessel will have to pay 1*l.* for landing the pilots, which is neither more nor less than compelling every merchant whose ship goes out of port to contribute 1*l.* towards the support of these boatmen. All our efforts have been directed, of late years, to render the navigation of the coasts of this kingdom, and particularly the coasts of the narrow seas, as cheap and as safe as possible ; but, by this clause, you will impose a charge upon the merchants for the benefit of this class of persons. As a public man, I consider it my duty to inform the House of the nature of the clause, and to entreat your Lordships not to adopt it.

The next clause enacts that additional men shall be licensed, and be stationed at Folkestone. Now the power to license these boatmen is given to the Lord Warden by the Act of 53rd of George III. The Lord Warden has the power, already, to license boatmen at Folkestone ; but he has only the power to license 140 boatmen, of whom 50 are stationed at Dover, 50 at Deal, 20 at Ramsgate, and 20 at Margate. I am not aware that the men are very desirous to have these licences ; but if there are any vacancies, and boatmen at Folkestone wish to be licensed, there is not anything in the Act of 53rd George III. to prevent me, as Lord Warden, from granting licences to those persons. As to stationing pilots at Folkestone, I really am afraid that the gentlemen who have prepared this measure have not consulted exactly as to what is the law upon this subject. There is no Act to prevent the Lord Warden's appointing pilots at Folkestone. He may, by an alteration of the bye-laws, appoint six pilots at Folkestone, without any new enactment. My opinion is, that there is no occasion for such an additional station ; and that the pilots who would be appointed to Folkestone would not be likely to reside there. But at the same time, if there be any desire on the part of the shipowners that six pilots should be stationed at Folkestone, there will be no objection on my part to pass a bye-

